



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

City Council

Joseph Prete
Dave Sanders
David Hirschi
Kevin Thomas
Doug Heideman

Hurricane City Council Meeting Agenda

August 18, 2022
4:00 PM

City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. [Meeting Link on Webex](#) Meeting number: 2630 456 5376 Meeting password: HCcouncil Join from a video or application Dial 26304565376@cityofhurricane.webex.com. You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0001 US Toll Access code:26304565376. A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation. **THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.**

4:00 p.m. Work meeting with Interstate Homes

5:00 p.m. Pre-meeting

6:00 p.m. - Call to Order

Prayer

Thought

Pledge

Declaration of any conflict of interest

Minutes of the regular City Council Meeting for July 21, 2022

Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 2 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 5:00 p.m. the Wednesday one week before the Council meeting.

OLD BUSINESS

1. Consideration and possible approval of **Ordinance 2022-36 amending Title 10, Chapter 3, Chapter 13, Chapter 33, and Chapter 34 and Title 4 Chapter 2- with regards to site plan design, open space and amenities, outdoor lighting, and parking in new developments.** Hurricane City Planning Applicant.

2. Consideration and possible approval of a **road access control gate that complies with IFCD103.5**
3. Discussion and possible **approval of theater productions for 2023**-Tiffani Wright

NEW BUSINESS

1. Consideration and possible approval of **local consent for a single event liquor license for UTV Takeover**-Dan Staheli
2. Consideration and possible approval of **revoking a residential hosting license**-Cindy Beteag
3. **Public Hearing** to take comments on the following:
 - a. An **Agriculture Protection Overlay located approximately 1100 S 700 West parcels H-3-2-3-2416, H-3-2-3-2417, and H-3-2-3-2418**
4. Ordinance 2022-44: Consideration and possible approval of an **Agriculture Protection Area for Ruth and Annie Reeve**, located at approximately 1100 S 700 W. Ruth and Annie Reeve Applicant.
5. Ordinance 2022-45: Consideration and possible approval of a **Zone Change Amendment request located at 650 S and 850 W from RA-0.5, residential agriculture one unit per half acre, to R1-15, residential one unit per 15,000 square feet**. Pete Dratter Applicant. Chase Stratton Agent
6. Consideration and possible approval of **Resolution 2022-40 approving WaterSMART: Irrigation Metering Grant Funding**-Ken Richins
7. Consideration and possible approval of **Resolution 2022-41 approving a WaterSMART grant to finish installing the AMI Metering System**-Ken Richins
8. Discussion regarding **updates to the Franchise ordinance**-Dayton Hall
9. Consideration and possible approval on a **preliminary plat for Black Ridge Phase 1A-1C, a residential subdivision consisting of 84 single family units and 20 townhomes, located at 1760 W and Weeping Rock Road in the Black Ridge development**. Austin Overman Applicant. Rob Reid-Rosenberg Engineering Agent
10. Consideration and possible approval of a **General Plan Amendment to adopt a Moderate-Income Housing Plan**
11. Ordinance 2022-46: Consideration and possible approval of a **Zone Change Amendment request located at 3700 West and Stargate Ave. from RM-3, multifamily 15 units per acre, R1-6, residential one unit per 6,000 square feet, and R1-15, residential one unit per 15,000 square feet, all to be RM-3, multifamily 15 units per acre**. Located on the north portion of parcel number H-4-2-1-1112-GS1. Western Mortgage and Realty Co Applicant. Thomas Hunt Agent.
12. Ordinance 2022-47: Consideration and possible approval of a **Land Use Code Amendment request to Title 9, Chapter 1, Section 3: Issuance of Building Permits to require a geotechnical report**. Hurricane City Applicant

13. Consideration and possible approval of a **preliminary plat for Sand Hollow Townhomes, a townhome development consisting of approximately 60 townhome units, located at approximately 1200 S Sand Hollow Road**. Bob Hermanson Applicant. Bush & Gudgeon Agent.
14. Consideration and possible approval of a **preliminary plat for Quail Creek Industrial Park Phase 5-8, a 76 lot industrial subdivision located at Regional Park Road and 1000 S**. Dennett Construction Applicant. Civil Science-Brandee Walker Agent.
15. Consideration and possible **approval of multiple contracts with PacifiCorp to sell and purchase power**-Scott Hughes
16. **Closed Meeting** held pursuant to Utah Code section 52-4-205, upon request

Adjournment

I hereby certify that the above notice was posted to the city website, (www.cityofhurricane.com) posted to the state public notice website, and at the following locations:

1. City office – 147 North 870 West, Hurricane, UT
2. The Post Office – 1075 West 100 North, Hurricane, UT
3. The library – 36 South 300 West, Hurricane, UT

_____ for the City Recorder

1 Minutes of the Hurricane City Council meeting held on July 21, 2022, in the Council Chambers at
2 147 North 870 West, Hurricane, Utah, at 5:00 p.m.

3 **Members Present:** Mayor Nanette Billings and **Council Members:** Joseph Prete, Dave Sanders,
4 Doug Heideman, David Hirschi, and Kevin Thomas

5 **Also Present:** City Manager Kaden DeMille, Police Chief Lynn Excell, Power Superintendent
6 Scott Hughes, Planning Director Stephen Nelson, Assistant Planner Fred Resch III, Street
7 Superintendent Weston Walker, Recreation Director Tiffani Wright, City Engineer Arthur
8 LeBaron, City Recorder Cindy Beteag, Water Superintendent Ken Richins, Public Works Director
9 Mike Vercimack, and Fire Chief Tom Kuhlman.

10 **AGENDA**

11 **5:00 p.m. Pre-meeting** - Discussion of Agenda Items, Department Reports

12 Scott Hughes reported that the department is short-staffed, but everyone is working hard to
13 cover the gap. Lineman wages are very competitive, making it difficult to fill the open position.
14 Mayor Billings encouraged the City Council to sign up for the UAMPS Conference.

15 Tiffani Wright reported that the adult kickball program has ended, and summer programs are
16 winding down. The preview night for Little Mermaid is at the end of July and closing night will
17 be Saturday during Peach Days. The department is preparing for Peach Days, and she is hopeful
18 that the renovations to the south side of the building will be complete before then. The City
19 Pool boiler was inspected, and it was determined that it would need to be replaced within
20 three years. A new pump was ordered for the pool, but it was quicker to have the broken pump
21 repaired. When the new pump arrives, it will be saved as a backup.

22 Ken Richins reported there were three water breaks on Saturday. He expressed gratitude for
23 the employees who worked long hours to repair the breaks. The large construction projects
24 south of town are taxing the ability to provide water to the area. If the situation continues, he
25 will meet with the developers to discuss conserving water.

26 Tom Kuhlman reported that the Fire Department is staying active. The Kolob fire is still under
27 investigation. There was a fire in Zion National Park yesterday, and he estimates thirty to forty
28 acres were burned. He reported an average of thirteen daily calls last year, and this year the call
29 volume is averaging fifteen calls per day.

30 Chief Excell reported that the missing juvenile was returned home safely after being gone for
31 three days. He explained that the Department followed every possible lead to find the missing
32 juvenile. Nine churches were vandalized Tuesday night. A suspect vehicle has been identified. A
33 new officer from Garfield County Sheriff's Department is starting Monday. Another officer

1 started the academy last week. The new female officers are doing a fantastic job in the field
2 training program. There are three open positions, and interviews will start on the first of
3 August. The engineering and geotech work have started for the new parking area at the Animal
4 Shelter, but the construction is on hold. The department has acquired an active shooter
5 decision-making training tool from Southwest Regional Response Team, and the crime scene
6 diagramming tool has arrived. Mr. Excell reported that the drafted mitigation plan will be sent
7 to the Council for review and will be on the next agenda. Councilman Sanders reported that the
8 Police Department was recognized by the Chamber of Commerce for outstanding work.

9 Weston Walker reported that the Streets Department is nearly finished on 900 South. The
10 crosswalk on 870 West was striped today, and he anticipates that the lights will be operational
11 tomorrow. They continue doing concrete work when concrete becomes available. The
12 department will help with traffic control for the parade.

13 Arthur LeBaron reported that the Pioneer Day parade is on Saturday at 9:00 a.m. Sean Reddish
14 looked at the metal building that Bob Lichfield is donating for a gym. There are no building
15 plans, he could not see all the parts, and he is concerned about how long the sheeting has been
16 stored. He does not recommend using the building. Mr. LeBaron will look at the building and
17 give his opinion. He reported that emails are circulating regarding drainage concerns. He met
18 with the contractor on site and feels they handle the situation very well. Councilman Prete
19 asked what safety measures were in place for the parade. Mr. LeBaron reported that many
20 children are in the parade, so the crowd will be smaller. They are asking each float to have a
21 spotter for their float.

22 Fred Resch III reported that Dayton Hall wants to complete another review regarding short
23 term rentals. Currently, there are seventy-five unlicensed short-term rentals.

24 Stephen Nelson reported that notices had been sent out for the Moderate-Income Housing
25 Plan Public Hearing. They have started training on the online application system, and he is
26 hopeful that the system will go live in August. He recommended not adopting the site plan on
27 tonight's agenda because it needs further review.

28 Kaden DeMille reported that City staff met with Zion's Bank and Legal Council regarding PIDs.
29 The information will be on the next City Council agenda.

30 Mike Vercimak expressed appreciation for the pay increase on behalf of the departments he
31 represents.

32 **6:00 p.m. - Call to Order –**

33 Mayor Nanette Billings welcomed everyone to the meeting.

1 **Prayer:** Collin Shamo

2 **Thought:** Steve Hirschi

3 **Pledge:** Luke Jones

4 Declaration of any conflicts of interest

5 Dave Sanders declared a conflict of New Business item 5.

6 Minutes of the Regular City Council Meeting for June 16, 2022

7 Dave Sanders motioned to approve the minutes of the Regular City Council Meeting for June
8 16, 2022. Seconded by David Hirschi. Joseph Prete, Doug Heideman, Kevin Thomas, David
9 Hirschi, and Dave Sanders, voting aye. Motion carried unanimously.

10 Recognition of an outstanding employee for a job well done.

11 Mayor Billings recognized Matt Politte and Paige Chapman as outstanding employees. Two
12 contractors contacted her to report that Mr. Politte is a pleasure to work with, and Paige
13 Chapman has worked meticulously on the budget to save taxpayer dollars.

14 **Public Forum** – Comments From Public

15 **OLD BUSINESS**

16 1. Consideration and possible approval of a **road access control gate that complies with**
17 **IFCD103.5**

18 Mayor Billings explained that the RV owner is willing to allow the crash gate, but they don't
19 want to pay for it. However, they feel the cones are working and would prefer not to have the
20 gate.

21 Jason Gubler agrees that the cones have helped with vehicle traffic. He reported that a
22 neighbor has had to ask people to leave his property. He anticipates the cost of the crash gate
23 to be \$1500. Mayor Billings explained that a public hearing doesn't have to be held if the gate is
24 on private property. Several steps must be taken if the gate is not on private property. She
25 explained that the crash gate would not stop people from walking on the open sidewalk. Mr.
26 Gubler feels that the gate will deter pedestrian traffic because they will have to climb the gate.
27 He wants to place the gate where 1515 West and 200 South meet. He explained that the sides
28 of the gate will tie into two neighboring private properties. Mayor Billings reported that the
29 gate cannot block a public street. The Police and Fire Department do not want the crash gate

1 because the road is secondary access for emergency vehicles. Councilman Prete thinks people
2 will walk around the gate if it is on the RV Park property.

3 Brady Tapp agreed that vehicle traffic and foot traffic has diminished. However, the heat is the
4 reason for the reduced foot traffic. He reported that vehicles pass through the area when an
5 employee moves the cones. They are not concerned about the RV Park owners; the concern is
6 about the people staying in the park. They have had issues with people coming into their yard,
7 and they do not feel safe on their street anymore. His recollection of the previous discussion
8 was that the intent was to put the gate at the end of 1515 West and 200 South. The increased
9 vehicle traffic from the commercial development of the property to the east is also a concern.
10 The goal was to stall the usage of this street until it is fully developed. Interior residential roads
11 are not designed to handle traffic for two businesses.

12 Stephen Nelson reviewed the street master plan for the area. The City required the
13 development to develop the road because it matches the street master plan. Private property
14 owners can fence off their property, but the City does not block public streets. The purpose of
15 public roadways is to provide transportation connectivity between developments. He does not
16 recommend a crash gate across the public roadway. Mr. Tapp noted that two vehicles cannot fit
17 on this roadway because it is not complete. It is not a traditional road and doesn't operate as
18 such.

19 Councilman Hirschi pointed out that they are requesting a crash gate as a temporary fix until
20 more development comes. He agrees that is the best place for the gate until a decision is made
21 on 200 South.

22 Wayne Baldwin explained that the road is very narrow, and if the gate is placed on the RV Park
23 property, it will not be visible until it is too late to turn around. He feels the traffic has
24 decreased because of the heat, and fewer people are staying at the park. He has had to chase
25 kids out of his yard, and his mailbox has been graffitied.

26 Councilman Prete thinks a block wall should have been required from the start because there is
27 commercial next to residential. Pedestrian traffic is the primary concern. He feels there are
28 three options. Find a way to fund a wall, temporarily block the right of way, or do nothing. He
29 doesn't know what the correct answer is. The crash gate is a simple temporary solution, but the
30 proper process must occur. Mayor Billings stated if the desire is for the gate to be placed in a
31 public right of way, the item should be tabled and go through a public hearing. Councilman
32 Thomas recommends continuing the item to allow time to review what is required in the code
33 and understand the implications. Councilman Sanders also feels this should be continued for
34 further review.

David Hirschi motioned to continue approval of a road access control gate that complies with IFCD103.5 for one month to allow the proper process. Seconded by Dave Sanders. Joseph Prete, Kevin Thomas, Dave Sanders, and David Hirschi, voting aye. Motion carried unanimously.

2. Consideration and possible approval of Ordinance 2022-29 amending Title 2, Chapter 1, Airport Authority - Nanette Billings

Mayor Billings reviewed the recommendation from the Airport Board. Mayor Billings has made a separate recommendation because she disagrees with the eligibility requirements. The Airport Board's recommendation requires five members to have an aviation background, with only two public citizens without an aviation background. She agrees that an aviation background is essential, but she does not want the ordinance to expressly limit the number of public citizens. Dave Houston explained that the board wants five board members with aviation backgrounds because the Airport is heavily regulated. Mayor Billings feels that having community members on the board will ensure that the community is represented.

Councilman Prete confirmed that the board consists of seven voting members and two nonvoting members. Mayor Billings explained that the Airport Manager and staff member are the nonvoting members. Councilman Prete would like to amend the language to clarify that the two ex officio members are the Airport Manager and a member of the City Council who will serve as liaison to the Council. He feels that a board comprised of pilots could lead to self-serving interests. The City Council needs recommendations that are in the City's best interest.

Councilman Sanders asked if the Airport's name is General Dick Stout Field. Mr. Houston reported that as far as the FAA is concerned, the Airport's name is General Dick Stout Field. Councilman Heideman reported that staff and Council members are voting members on other boards. He asked why they are advisory members on the Airport Board. He is concerned that the staff member is being singled out. Mayor Billings explained the staff member is not being singled out. She is focusing on the citizen's boards because she thinks the ordinance needs clarity, but the City Council can choose to review other boards.

Norm Anderson feels that two non-aviation members is appropriate. Councilman Prete would like the City Council to be informed of the reason for each member's vote.

Joseph Prete motioned to approve Mayor Billings's version of Ordinance 2022-29 amending Title 2, Chapter 1, Airport Authority. Subject to three changes. Changing the name to Dick Stout Airport in the first paragraph. Change the language in 2.1.3 A to reflect that the Council member serves as a liaison, not a supervisor. Requiring a minimum of four voting members with an aviation background. Seconded by Kevin Thomas. Joseph Prete and Kevin Thomas, voting aye. Doug Heideman, David Hirschi, and Dave Sanders voting nay. Motion failed.

1 Joseph Prete motioned to approve Mayor Billings's version of Ordinance 2022-29 amending
2 Title 2, Chapter 1, Airport Authority. Subject to three changes. Changing the name to Dick Stout
3 Airport in the first paragraph. Change the language in 2.1.3 A to reflect that the Council
4 member serves as a liaison, not a supervisor. Requiring a minimum of five voting members with
5 an aviation background. Seconded by Dave Sanders. Doug Heideman, David Hirschi, Kevin
6 Thomas, Dave Sanders, and Joseph Prete, voting aye. Councilman Heideman still feels that staff
7 should be voting members. Motion carried unanimously.

8 **3. Consideration and possible adoption of an Airport Noise Abatement policy**

9 Mayor Billing reported the Airport Board made a positive recommendation to adopt the Airport
10 Noise Abatement policy. She read through recent changes made to the policy. Dave Houston
11 explained that the FAA requires pilots to obtain all available information at any airport they are
12 flying into. If this is adopted, it will be published in the airport information. Sand Hollow
13 Aviation Association will provide signs on the runway to remind people of the noise policy.
14 Mayor Billings appreciates that the pilots are being proactive in improving the airport. Mr.
15 Houston reported that the airport adopted a rules and regulations ordinance in 2009. They
16 have made some housekeeping changes to the ordinance that the City Council have not yet
17 approved. He suggested combining the rules and regulations ordinance and the noise
18 abatement policy. Mayor Billings reported that Dayton Hall recommended approving this policy
19 first. Councilman Prete recommended adding an express statement stating that this is a policy,
20 not a law or regulation. Also, nothing here is intended to violate the law to the extent it is
21 deemed to do so by a court of competent jurisdiction; it is hereby stricken. To close the loop
22 and prevent overstepping regulations.

23 Norm Anderson stated this is an effective policy embraced by the pilot and aviation community.

24 Steven Cox feels that the policy and ordinance need to be separate to avoid assumptions that
25 the policy is an ordinance.

26 Doug Heideman motioned to adopt the Airport Noise Abatement policy with Joseph Prete's
27 amendments. A statement that this is policy is not a law, rule, or regulation of the Airport or
28 Hurricane City. Nothing in this policy is intended to violate federal or applicable law to the
29 extent it is deemed to do so by a court of competent jurisdiction; it is hereby stricken.
30 Seconded by Kevin Thomas. Dave Sanders, David Hirschi, Joseph Prete, Doug Heideman, and
31 Kevin Thomas, aye. Motion carried unanimously

32 **4. Consideration and possible assumption of ongoing payments for the Sky Watch**
33 **Software at the City Airport - Dave Houston**

34 Dave Houston explained in the past that data was gathered from multiple aircraft monitoring
35 programs. Sand Hollow Aviation purchased a one-year subscription to Sky Watch Software

1 which gathers and provides multiple points of data. This data can be correlated to flight path
2 data with complaints or questions gathered from the link on the City's website. The cost of the
3 software is \$1200 a year. The cost of the service has been covered for two years by Stephen
4 Lemmon and Jason Campbell. To continue the service past two years, the City Council will need
5 to cover the expense. Councilman Heideman credited Stephen Lemmon and Jason Campbell for
6 purchasing this software for the first two years. Steve Lemmon noted that if this program is not
7 found to be helpful within the first year, it should be canceled. Steve Cox feels this is an
8 excellent tool for educating pilots. Councilman Thomas feels that a decision is not necessary at
9 this time.

10 Kevin Thomas motioned to table assumption of ongoing payments for the Sky Watch Software
11 at the City Airport until February 2024. Seconded by David Hirschi. Dave Sanders, David Hirschi,
12 Joseph Prete, Doug Heideman, and Kevin Thomas, voting aye. Motion carried unanimously

13 **5. Consideration and possible approval of Ordinance 2022-36 amending Title 10, Chapter**
14 **3, Chapter 13, Chapter 33, and Chapter 34 and Title 4 Chapter 2- with regards to site**
15 **plan design, open space and amenities, outdoor lighting, and parking in new**
16 **developments. Hurricane City Planning Applicant.**

17 Stephen Nelson would like Dayton Hall to review the parking changes before approval of this
18 ordinance. He thanked Jeremy Pickering for his work on this ordinance. He has received many
19 concerns about allowing developments to have excessive on-street parking. That was not the
20 intent of the ordinance. He explained that the current standard prevents developments from
21 having minimal impact and overflow parking. Developers will not provide additional parking if
22 there is no option to do so. Mr. Nelson read the parking standard changes. Councilman Thomas
23 feels these changes benefit the developers. Mr. Nelson reported that this change will allow
24 street parking for parks and other amenities. Without this, a substantial portion of these
25 projects would be parking areas. Street parking minimizes hard surface areas and provides
26 physical separation for pedestrians from roadways. Councilman Prete asked if there are safety
27 issues with street parking. Arthur LeBaron reported that as a cyclist, he worries about being hit
28 when a car door is opened. He thinks the safety concerns can be addressed in design standards.
29 Mr. Nelson explained that the presented standard only allows street parking on local roads.
30 Councilman Heideman disagrees with the percentage of required parking in multifamily
31 developments, and he does not think twenty parking spaces are enough for parks. He
32 suggested requiring more trees in the landscaping standard.

33 Joseph Prete motioned to continue approval of Ordinance 2022-36 amending Title 10, Chapter
34 3, Chapter 13, Chapter 33, and Chapter 34 and Title 4 Chapter 2- with regards to site plan
35 design, open space and amenities, outdoor lighting, and parking in new developments.
36 Seconded by Dave Sanders. Doug Heideman, Dave Sanders, David Hirschi, Joseph Prete, and
37 Kevin Thomas, voting aye. Motion carried unanimously

NEW BUSINESS

1. Consideration and possible approval of a business license for Motive Service located at the Hurricane City Airport - Marc Campbell

Mayor Billings explained that this company is an aircraft engine distributor. She asked if business license applications at the Airport need to go before the City Council for approval. Cindy Beteag stated that the applications must go to the City Council with a recommendation from the Airport Board. Dave Houston reported that Airport Board recommended approval subject to lease approval within two months.

Kevin Thomas motioned to approve a business license for Motive Service located at the Hurricane City Airport on the condition that this approval will be revoked in ninety days if a lease is not obtained. Seconded by Joseph Prete. Dave Sanders, David Hirschi, Joseph Prete, Doug Heideman, and Kevin Thomas, voting aye. Motion carried unanimously

2. Consideration and possible approval of local consent of an off-premise beer license for Mistry Petroleum - Rakesh Mistry

Mayor Billings explained that an off-premise license means that beer cannot be consumed on-site. The applicant recently purchased this business, and the previous owner had an off-premise license. Councilman Prete noted that this is not an expansion of the license but a change of ownership. Rakesh Mistry lives in St. George and owns a Motel 6 in St. George and Ogden. He has owned a gas station but has never had a beer license. Cindy Beteag reported that there are no background issues.

Dave Sanders motioned to approve local consent of an off-premise beer license for Mistry Petroleum. Seconded by Doug Heideman. Dave Sanders, David Hirschi, Joseph Prete, Doug Heideman, and Kevin Thomas, voting aye. Motion carried unanimously

3. Discussion and possible approval of theater productions for 2023 - Tiffani Wright

Tiffani Wright reported that initially, the plan was to present Beauty and Beast for the 2023 Summer Show. However, the rights to Mama Mia have become available, and the costumes for Mama Mia are less expensive than those for Beauty and the Beast. Mrs. Wright reported that Spitfire Grill is the Spring show. Mayor Billings does not recall the City Council approving Spitfire Grill. SpongeBob and the Little Mermaid are the only productions approved by the City Council. She also feels that Mamma Mia will have a limited audience and would like to see productions that appeal to a larger audience. Mrs. Wright reported that the City Council requested productions that would appeal to a mature audience. Councilman Thomas stated that the comment was most likely directed at SpongeBob.

Councilman Prete attends the plays to support the Community Center. However, he would not go to Spitfire Grill or Mama Mia if he did not feel obligated. He feels that the theatre productions should serve the entire community and would rather invest in more popular productions to accommodate more people. Councilman Hirschi reported that the City Council likes the music of Mama Mia, but the play's content is not appealing to the younger generation. Councilman Prete suggested that the Council provide a list of approved plays. Councilman Hirschi suggested allowing Kyle to choose a play every one or two years. Councilman Prete will prepare a list of productions.

Joseph Prete motioned to continue approval of theater productions for 2023 for 30 days. Seconded by Dave Sanders. David Hirschi, Joseph Prete, Doug Heideman, Dave Sanders, and Kevin Thomas, voting aye. Motion carried unanimously

4. Consideration and possible approval on a preliminary plat for Cordero Phase 3, a 214 lot residential subdivision, located at 2100 W 3900 S. Brant Tuttle Applicant.

Mayor Billings reported that the twelve-inch line will not be reimbursed because it was required based on the development. Stephen Nelson reported that block length and double frontage lots are the remaining issues. Staff comments on the report state that the block lengths should be limited to eight hundred feet. Block length is typically measured from center line to center line. However, the code does not specify how the block is measured. The applicant reported that the block length is seven hundred ninety feet from lot line to lot line. Mr. Tuttle feels that the double frontage lot concerns were addressed. He assumed that the block length was measured from block to block and followed the guidelines when laying out the project. Mr. Nelson reported that State Code reads that the property owner can interpret the code if there is any vagueness in the code. The court will rule in favor of the property owner if their interpretation of the code is reasonable. Councilman Thomas does not favor the number of double frontage lots in the subdivision. Many of the double frontage lots can be excluded by reducing density. He feels these types of lots should be the exception to the rule not the majority. Councilman Heideman agrees that the roads are designed poorly and is concerned about the lack of amenities. Mr. Nelson reviewed the standard for double frontage roads. He noted that the applicant already has zoning rights. Bock walls are required for homes that back up to a master planned roadway. He also doesn't think the density can be reduced due to the natural terrain requirement, and parks are not required in single-family zones.

Mr. Nelson's biggest concern is the block length. Longer blocks increase traffic speed and make subdivisions harder for pedestrians to traverse. Arthur LeBaron reported that the project's layout changed when the property's west side was sold to Southern Shores. The Ski Lake project approved by the previous City Council also contributes to the double frontage issue. Mr. LeBaron commented that block lengths contribute to various issues such as connectivity for utility services and emergency access and creating a more cohesive neighborhood. Councilman Thomas does not think enforcing the block length standard will solve the issue of the frontages.

1 However, he does not see any feasible solutions that will change the layout. Councilman Prete
2 is not comfortable with the design. He wants to continue the item to address some of these
3 concerns. Mr. Tuttle explained that they have scrutinized and changed the layout several times
4 to address the Planning Commission's recommendation.

5 Doug Heideman motioned to continue approval on a preliminary plat for Cordero Phase 3, a
6 214 lot residential subdivision, located at 2100 W 3900 S. Seconded by Joseph Prete.
7 Councilman Thomas asked what would change in two weeks because he does not see any
8 solution to change the layout. Councilman Heideman would like the applicant to consider
9 adding amenities and utilize a cul-de-sac to address the block length. Mr. Nelson reported that
10 a cul-de-sac would not address the block length. He suggested connecting a local roadway to
11 resolve the block length issue. Kevin Thomas, Joseph Prete, Doug Heideman, David Hirschi,
12 voting aye. Dave Sanders, voting nay. Motion carried.

- 13 **5. Ordinance 2022-41. Consideration and possible approval on a Zone Change**
14 **Amendment request located on the northwest corner of SR-7 & SR-9 intersection from**
15 **R1-8, one unit per 8,000 square feet, to PC, planned commercial. Parcel numbers H-3-1-**
16 **31-1101, H-3-1-31-1105 and H-3-1-31-2101. Silverado Development LLC Applicant**

17 Mayor Billing noted that the Planning Commission gave a positive recommendation.
18 Councilman Thomas explained that the Planning Commission recommended increasing
19 commercial. He likes this layout better than what was initially proposed to the Planning
20 Commission. The applicant explained that a hotel will be on the southwest corner and a
21 commercial restaurant to the east. A second restaurant and a convenience store are in phase
22 four. The mancaves and townhomes are in the center, with apartments to the north. Mr.
23 Nelson explained that the mancave product is listed for residential use. David Hunter stated
24 that they will address additional access required by fire code before plat approval.

25 Doug Heideman motioned to approve the Zone Change Amendment request located on the
26 northwest corner of SR-7 & SR-9 intersection from R1-8, one unit per 8,000 square feet, to PC,
27 planned commercial. Parcel numbers H-3-1-31-1101, H-3-1-31-1105 and H-3-1-31-2101.
28 Seconded by Kevin Thomas. Joseph Prete asked how the General Plan compares with this zone
29 change request. Mr. Nelson reported that staff recommended this area as mixed-use based on
30 the text of the General Plan. The Planning Commission found that this complies with the text of
31 the General Plan but not the General Plan map. Kevin Thomas, Dave Sanders, David Hirschi, and
32 Doug Heideman, voting aye. Joseph Prete, voting nay. Motion carried.

- 33 **6. Consideration and possible approval on a preliminary plat and possible approval of a**
34 **preliminary site plan for Lakeview Townhomes, a multifamily development consisting**
35 **of 88 townhomes and 62 duplexes, located at the northwest corner of Sand Hollow**
36 **Road and Dixie Springs Dr. Brett Burgess Applicant.**

Stephen Nelson reported that the Planning Commission approved the preliminary site plan. This item is only for approval of the preliminary plat. Mr. Nelson explained that the plat was updated to clarify that all roadways are private with private alleys to access garages. He reported that private roadways are not prohibited in code, but the City has allowed many private roadways within multifamily development. Zion Village is all private roadways, but they were required to be built out to City standards. The staff's main concern with this plat is the lack of adequate pedestrian facilities. The alleyways are twenty-four feet wide, but the code requires twenty-six feet. Logan Blake explained that the private streets are consistent with Hurricane City Cross Section Standards. He does not think the road has to be twenty-six feet wide because they are not planning to have fire hydrants in the alley. Fire Chief Kuhlman reported that hydrants in the alley might be required by code, and the road must be twenty-six feet for the fire department to access. Chief Kuhlman is not opposed to the alleyway; however, the alleyway must be accessible at all times. He discussed similar subdivisions and explained that HOA's do not consistently enforce the requirement. He also has concerns about the turning radius going into the alleyways. Mr. Nelson likes the alley concept; he agrees that access for emergency vehicles needs to be accommodated. Staff would like to see pedestrian connectivity on both sides of the road. Councilman Prete is concerned because the City does not have a way to ensure that private roadways are not blocked. Mr. Blake stated that he will ensure the radius is wide enough for emergency access, and there will be sidewalks along one side of the road with accessible ramps at the intersection. Councilman Prete suggested continuing the item to allow the developer and the Fire Chief time to create an access plan.

Joseph Prete motioned to continue approval on a preliminary plat for Lakeview Townhomes, a multifamily development consisting of 88 townhomes and 62 duplexes, located at the northwest corner of Sand Hollow Road and Dixie Springs Dr. Seconded by Kevin Thomas. Doug Heideman, David Hirschi, Dave Sanders, Kevin Thomas, Joseph Prete voting aye. Motion carried unanimously

7. Consideration and possible approval of Resolution 2022-36 authorizing the Steel Solar 1A Project amended and restated Transaction Schedule - Scott Hughes

Scott Hughes explains that the project is experiencing difficulties obtaining materials causing the price to increase and extending timelines. The Steel Solar project is an eighty-megawatt plant located in Northern Utah. Hurricane City Power has subscribed for 2.5 megawatts in phase 1A of the Steel Solar Project. He reported that solar energy is not dependable, but it is a reasonable price compared to other available resources. Councilman Prete reported that the City Attorney approved the resolution, and the Power Board gave a positive recommendation.

Doug Heideman motioned to approve Resolution 2022-36 to purchase 2,584 kilowatts for \$34.66 per megawatt hour. Seconded by Joseph Prete. David Hirschi, Dave Sanders, Joseph Prete, and Doug Heideman, voting aye. Kevin Thomas is not in favor of solar and is voting nay. Motion carried.

1 Mayor and Council reports

Mayor Billings	Airport, Administration, Police, Washington County Solid Waste District, Washington County Water Conservancy District, Youth City Council, Ash Creek Special Sewer District. Mentioned a QR code that can place in town for people to find amenities and other areas of interest within the City. This is a fantastic way to promote and advertise what is available in the area. The Tourism Board is in support of the QR code.
Joseph Prete	Court, Prosecutors Office, City Attorney, Fire District, Economic Development, Agriculture Preservation, Industrial Park, Power, Power Board
Dave Sanders	Animal Control, Police, Emergency Management, Mosquito Abatement, School Crossing Guards, Victim Services
David Hirschi	Historical Preservation, Parks/Cemetery, Recreation/Pool, Water Department, Water Board, Ash Creek Special Service District, Tourism Board, Golf Course
Kevin Thomas	Planning Commission, Streets and Drainage, Public Works, Engineering, Planning Dept
Doug Heideman	Building Inspections, Code Enforcement, Tree Board, Airport Board, Appeals Board, Beautification Board. Expressed appreciation to Police and Street Departments. Speakers in the back acknowledged Mayor Billings for actively bringing businesses to the community.
Kaden DeMille	City Administration -

2 **8. Closed Meeting** held pursuant to Utah Code section 52-4-205, upon request.

3 David Hirschi motioned to go into a closed meeting for property acquisition, personnel
4 concerns, and potential litigation. Seconded by Joseph Prete. Kevin Thomas, Doug Heideman,
5 Dave Sanders, David Hirschi, and Joseph Prete, voting aye. Motion carried unanimously.

6 **Adjournment:** 12:04 a.m.



STAFF COMMENTS

Agenda Date:	06/09/2022
Application Number:	2022-LUCA-05
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City Planning
Agent:	
Request:	Make a recommendation to the City Council to update Hurricane City Code
Reviewed By	Planning and Zoning

Summary of Concern:

Due to the large number of multifamily developments planned and approved in the city, staff and the Planning Commission have endeavored to come up with new standards for open space and site plan design in new developments. This has been before the Planning Commission for almost six months and staff believes that sufficient fine-tuning has been done

Summary:

Multi Family Open Space

- *Refine definition of open space to exclude parking and unimproved areas*
- *Change open space requirement in multifamily areas from a recommendation of 50% open space to a requirement of 20% usable open space*
 - *Require trees be planted within open space*
- *Require amenities such as pools and clubhouses depending on the size of development*

- *Require said amenities to be spread out throughout the development*

Outdoor Lighting

- *Require all exterior lighting to be fully cut off and shielded downwards*
- *All new exterior lighting shall have a color temperature of 3000 K or less*
- *Light trespass onto neighboring properties can now be considered a nuisance*
- *Exceptions for holiday lighting, lighting that is less than 1000 lumens, agricultural lighting, motion sensors, emergency lightning*

Pedestrian Circulation

- *All new multifamily developments will be required to provide a pedestrian circulation plan showing the location and width of walkways as well as connections to neighboring properties*
- *Require that all trails are at least 10 feet wide unless so marked on the Active Transportation Master Plan*
- *Require covered bicycle parking at a rate of one space per two units*

Parking

- *Allow for diagonal and perpendicular street parking on residential roadways*
- *These parking areas will be maintained by an HOA and shall be 50' from any intersection*
- *The City Engineer must approve the proposed cross-section*

Discussion:

Since the last Planning Commission meeting staff has had the Joint Utility Committee and Engineering go over the proposal in some more detail, here are the primary changes we've made in response to these discussions

- **Pedestrian Circulation:** Differentiated between master planned trails, primary trails, and internal walkways. Allows connections to larger trail systems to count as an amenity and encourages larger trail systems between developments
- **Parking:** Added exceptions for the downtown area. Specified design standards and bulb outs. Street parking counts towards parking requirements for commercial uses. Engineering and Planning are working together to design a sample cross section for diagonal and perpendicular street parking.

This is a big change to the city code that will determine how the city continues to develop. We appreciate your efforts thus far and we appreciate any suggestions and concerns you all may have as we continue this process.

Recommendation: Staff recommends that the Planning Commission listen and consider any public comments made during the public hearing. Staff would recommend approval of the code amendment subject to staff and legal review.



Site Plan Design Ordinance Updates

As part of the 2021 General Plan Update there were a number of improvements to current city ordinances that were suggested to help improve open space and our trail systems, protect our night sky, and promote the building of diverse housing types within the city. With those goals in mind there has been a desire to update our site plan design ordinances Title 10 Chapter 33 and elsewhere. This is a brief explanation for the changes that are being proposed and why they are being proposed in this way.

Multi Family Open Space

As part of our current ordinances 50% of total land area in multi family developments must be open space. As the current definition of open space is incredibly broad, currently a development can be in compliance with this code by covering 50% of the property in parking lots, or including otherwise unusable sensitive lands. This is also an extreme number, not consistent with what just about any city in the region is doing, and has never been strictly enforced through the years. We are proposing lowering the amount of required open space to 20% but making the definition of open space much stricter. We propose defining open space as excluding parking areas and unimproved sensitive lands and requiring amenities to be provided within this open space.

Outdoor Lighting

The General Plan identified the city's dark skies as a valuable natural resource for the community. Zion National Park was recently declared a Dark Sky Park and astro tourism is a valuable part of the city's tourism industry. To quote directly from the General Plan:

"Over the past several years, many rural communities or communities surrounding large areas of protected lands, such as national parks have been pushing to reduce light pollution....

Protecting these night skies provides a beautiful natural asset for the community, but it can also offer an economic advantage. Since most light pollution comes from unnecessary outdoor lighting , or lighting that is not properly shielded, eliminating excess outdoor lighting can improve visibility of the night sky can save millions of dollars"

One of the goals of the General Plan is to add more forceful and less confusing language, while still providing necessary exceptions, to the city code. It is important to note that most of the more recent development in the city already meets this code.

Pedestrian Circulation



The General Plan as well as the Active Transportation Master Plan endorse continued buildout of the city's pedestrian network. Pedestrian networks throughout large developments, multifamily or otherwise, are important and it is important that the developments have these types of connectivity with other properties. We are proposing that applicants provide a plan to show us the pedestrian connectivity between their properties and adjacent properties for the health of the community. As well we are proposing that new applicants adhere to standards set out in the Active Transportation Master Plan and make all walkways 10-12 feet wide.

Parking

During the approval process for the new recreation resort ordinance there was a desire on the part of the City Council, as well as from some recent developments to add some flexibility to our parking code. As currently written perpendicular and diagonal parking along public streets is not allowed, despite being grandfathered in in a number of places within the city. Individual parking lots can have a larger impact than just allowing the parking to be along local roads and residential streets in many circumstances. This will allow for more landscaped open space within developments while still providing the required and necessary parking

Ordinance No. 2022-xx

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH
AMENDING SECTION 10-3-4 AND CHAPTERS 10-13, 10-33, 10-34 AND 4-2 OF THE
HURRICANE CITY CODE.**

WHEREAS, the City Council of Hurricane, Utah has previously approved site plan design standards to ensure that well designed neighborhoods are built throughout the City; and

WHEREAS, a large number of multifamily and planned developments are being planned throughout the City; and

WHEREAS, the City Council finds it necessary and desirable to amend ordinances governing site plan design, open space and amenities, outdoor lighting, and parking in new developments; and

WHEREAS, the Planning Commission of Hurricane Utah has recommended the following changes to the Hurricane City Code;

BE IT HEREBY ORDAINED by the City Council of Hurricane Utah that Section 10-3-4 and Chapters 10-13, 10-33, 10-14 and 4-2 of the Hurricane City Code be, and are hereby, amended to read as follows:

10-3-4: DEFINITIONS OF WORDS AND PHRASES

Open Space means any space in a development that does not contain any structures or amenities, except that a park, as defined in this section, may qualify as Open Space. All Open Space must be completely landscaped with sod, trees, xeriscape, gardens, or agricultural uses; provided, however, that natural features such as hillsides, natural

landscapes, washes, and other natural open spaces may also be considered Open Space. Buildings, streets, parking lots, private yards, and landscaping within the rights-of-way for streets shall not be counted as Open Space. Only usable space qualifies as Open Space. Open Space with a horizontal width of less than six feet or a total area of less than 60 square feet is not considered usable. Areas with sensitive lands shall only qualify as Open Space if some feature or amenity is added, such as a trail, in order to make the land usable.

10-13-7: SPECIAL REGULATIONS:

A. Animals: Within R1, RM, and MH/RV Zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown in section [10-13-4](#), [table 10-13-2](#) of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

C. Increased Height: Notwithstanding the height limitations shown in section [10-13-4](#), [table 10-13-2](#) of this chapter a greater building height may be allowed in Residential Zones pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

D. Separation: To buffer the dwelling areas and provide site safety, multi-family projects shall be separated from different land uses by means of a landscape barrier, a berm, a wall, or other means approved by the Planning Commission during final site plan. The commission will consider adjacent land uses and zoning when determining an acceptable separation design. (Ord. 2018-09, 9-6-2018)

~~E. Open-space. In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus 50 percent of all additional floor area.~~

10-33-5: SITE PLAN DESIGN:

A. General Considerations: Site layout should help create a coherent and unified project. The impact of site design on surrounding property owners should be taken into

consideration. Projects should be designed to minimize negative impacts on adjoining property.

B. Loading And Service Bays: Landscaped areas and walls should be used to decrease noise levels. Service and loading bays (automotive, service, tire, etc.) shall be oriented away from neighboring residential areas and major public streets.

C. Natural Features: Prominent natural features of land, as shown on a natural features inventory, such as hillsides, views or other features should be considered when designing the site. The design should seek to preserve significant natural features and avoid site design problems associated with floodplains, steep slopes, drainage areas, or other similar features.

D. Noise Impact: Site design shall include provisions for limiting noise, particularly as to adjacent residential property. The occupants of a development should be protected from noise from both outside and within the site through screening, berming, setbacks, and building materials. Noise generating equipment should be located and buffered to minimize impact on adjacent residential uses or districts.

E. Open Space:

1. Open space should be used as a buffer between adjacent properties.

2. The open space within a development should be integral to the development, not small leftover pieces of land.

3. One tree shall be planted for every 1,000 square feet of landscaped open space. These trees shall count for the requirements of Sec. 10-32-5 of this title for multifamily developments with no front yard areas.

4. Courtyard areas should be designed as usable space.

5. Recreation and outdoor activity areas should be provided to accommodate all users. Development projects oriented toward elderly users should be provided with passive activities.

6. Amenities within a development project shall be proportional to the size of the project.

7. Open space should be an integral part of a development project, connecting recreational facilities with other areas utilizing continuous common areas.

8. Private open spaces such as patios and balconies are encouraged. Patios and balconies should be a minimum sixty (60) square feet in area and have a minimum narrow dimension of six feet (6').

9. In Multiple-Family Residential Zones and multi-family areas of Planned Developments, open landscaped space shall be at least 20% of the total land space of the development.

- a. Landscape Buffering should be a minimum of 10' wide, and shall contain a total of one tree and three shrubs for every 35' of the buffering area. Landscape buffering that is not otherwise required shall count as open space.
- b. Except for natural features such as hillsides, natural landscapes, washes, and other natural open spaces, all areas that are unencumbered by improvements shall be landscaped and treated in a way to control dust and weeds. This may include additional landscape treatments, rocks, or planting of natural vegetation.
- c. For townhome developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 15%.
- d. For duplex developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 10%.
- e. The Planning Commission, in its discretion, may lower the amount of open landscaped space or amenities required for a development under 50 units if the development is within a one-quarter mile of a City park.
- f. Open and common space must contain some kind of amenities as set forth below:

Number of units	Number of required amenities
0-15	0
16-50	1
51-100	3
101-200	4
201-300	5

- i. Developments above 300 units shall add one amenity for every 50 units.
- ii. Amenities may include, but are not limited to, pools of at least 1500 sq ft, health or fitness facilities, playgrounds, community gardens, trail systems, dog parks, sport courts, and club houses. All amenities shall be built to commercial standards.

Commented [SN1]: Should this match the definition of 6' above?

Commented [2]: What about the "natural landscapes" that are included in the definition of Open Space? See my suggested revision.

- iii. If multiple amenities are required, the type shall vary. Duplicates of amenities should be avoided but may be approved by the Planning Commission.
- iv. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. All amenities and open space shall have walking trails or sidewalks for access. Each unit within a development shall be within a quarter mile of an amenity. Where applicable, multiple amenities shall be placed throughout the property to ensure equitable access.
- v. Amenities shall either be maintained by common ownership or deeded to the City if the City agrees to accept ownership.
- vi. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission based on the Commission's determination of whether the number, nature, and size of the proposed amenities in the amenity plan satisfies the requirements and purposes of this chapter.
- vii. Development may be phased. Public and Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed or number of units in the subdivision. For example, if 25% of the units of the development are being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed concurrently.
- viii. All amenities designed and designated to be transferred to City ownership and maintenance must meet Hurricane City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.

Commented [3]: Should we address public access to commonly-owned amenities? Such as: "For Owners' Association-owned amenities, any restrictions on public access to the amenities shall be approved by the Planning Commission."

F: Outdoor Lighting Plan: All final site plans shall submit an outdoor lighting plan that complies with Hurricane outdoor lighting standards.

G. Outside Storage: Approved outside storage areas shall be screened from street view and nearby residence, office, and commercial areas. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

H. Pedestrian Circulation:

1. A network of convenient, safe, and raised or textured pedestrian paths shall connect areas within the project, and should also connect the project to adjacent properties and transit facilities.
2. The location and number of access points to a site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to

maximize safety and convenience, and should be harmonious with proposed and neighboring buildings.

3. Master planned trails shall be a minimum of 12 feet wide, primary trail systems that connect different developments shall be a minimum of 10 feet wide. Internal walkways (sidewalks) shall be a minimum of 5 feet wide. Primitive and unpaved trails are permitted in natural open space. All trails and pedestrian paths shall comply with pedestrian connectivity standards.

- a. For a trail to count as an amenity, it shall be paved, a minimum of 10' wide, and traverse the development from one end to the opposite end. Amenity trail systems shall connect to master planned trails, parks, schools, commercial areas, adjacent developments and other natural/primitive trail systems where applicable. Trail connectivity should be coordinated with adjacent properties.

4. For multifamily developments or Planned Developments, a pedestrian circulation plan shall be submitted with the Preliminary Site Plan application. Pedestrian circulation plans shall contain:

- a. Location of walkways;
- b. Width of walkways;
- c. Connection points between adjacent properties;
- d. Location of Active Transportation Master Plan trails, if any, in the vicinity of the property and any internal pathways connections to these trails;
- e. Connections between residential buildings and amenities; and
- f. Street crossings and crosswalks which shall be clearly marked.

5. Covered or locked bicycle storage shall be provided in all multifamily developments at a rate of one space per two units. Bicycle storage shall be provided through private storage such as garages or storage units or public storage such as covered bike parking ~~under shared staircases~~. Bicycle storage shall be located to be convenient for residents' daily use.

I. Privacy: Site design and floor plan layouts should be organized to provide privacy for the proposed project and surrounding uses. Window and door placement, and patio/balcony areas should not directly overlook adjacent properties.

J. Security: A site should be designed to avoid creating conditions which may invite criminal activity.

1. Buildings, windows, and landscaping should be located to maximize surveillance of entryways, pathways, and parking lots.

2. Subject to Hurricane City's outdoor lighting standards, adequate lighting should be provided throughout the development.

K. Solar Exposure: An energy efficient design which reduces summer heat gain and winter heat loss and encourages outdoor usable areas should be incorporated into the site plan.

1. An energy efficient design to reduce summer heat gain through window and door placement, and landscaping, use of innovative construction materials, or building orientations is encouraged.

2. Providing shade for outdoor activity areas such as picnic areas and courtyards is encouraged.

L. Trash And Refuse Collection Areas: Areas which generate noise and odors shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. Refuse enclosures at highly visible locations should be six feet (6') high, constructed of materials to match main buildings on the site, and provide latching gates for screening the opening to the enclosure.

M. Walls:

1. Different projects and uses should be physically separated to minimize the impact of unattractive or noisy areas and provide a buffer between properties.

2. Walls which front on a public street should be designed to include colors, materials, forms, and architectural accents compatible with the main building.

3. Minimum requirements for screening walls: See chapter 37 of this title.

N. Auxiliary Equipment:

1. Generators and other large auxiliary equipment should be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for occupants of neighboring properties.

2. Equipment should be kept low to the ground.

3. Walls, landscaping, and other materials shall be used to screen auxiliary equipment.

O. Minimum Site Plan Requirements: See applicable base and overlay zone standards (chapters 11 to 30) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

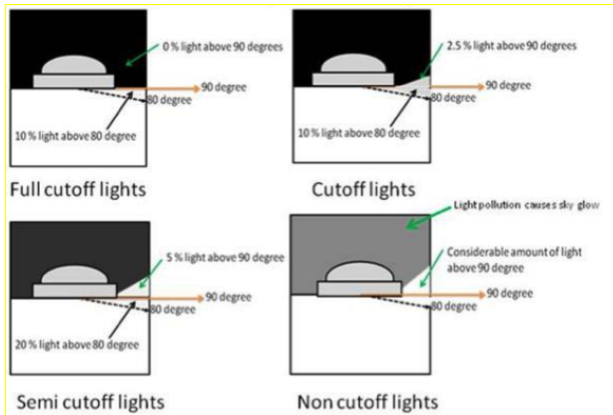
10-33-7: OUTDOOR LIGHTING

The purpose of this section is to encourage lighting practices that minimize light pollution, glare, light trespass, and sky glow in order to preserve the night sky and the rural character of our community

1. Scope: All exterior lighting installed after the effective date of this ordinance shall conform to the requirements of this section.
2. Requirements: Only lighting that is needed shall be installed.
 - a. For commercial and industrial properties: exterior lighting shall be fully cut off, focused downwards, and fully shielded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjacent properties.
 - i. Fully cut off lighting shall be defined as lighting fixtures that have completely opaque tops and sides, such that light can only escape from the bottom and is aimed towards the ground with no light aiming upwards.
 - b. All new exterior lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.
 - c. Walkway lighting within multifamily developments and planned developments shall be fully shielded and no more than one thousand (1000) lumens and no more than three feet above the ground.
 - d. Motion sensor lighting shall not remain illuminated for more than five minutes at a time.
 - e. Gas station canopy and drive-up cover lighting shall be down-lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.
 - f. Recreational facilities shall be required to have full cutoff light fixtures and not have light trespass onto adjacent properties except for where it is unavoidable.
 - g. Light poles with floodlights in parking lots and other such facilities shall not exceed eighteen (18) feet in height and shall adhere to all other requirements of this chapter.
 - h. Signs: Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that

only the sign face is illuminated. All lighted signs must have stationary and constant lighting.

3. Exceptions: The following classifications of lighting are exempt from this section:
 - a. Lighting that has a brightness of less than one thousand (1,000) lumens (approximately one 60 watt incandescent light bulb).
 - b. Floodlights with external shielding of the light source and is angled towards the ground at 30 degrees or less.
 - c. Temporary lighting by emergency services.
 - d. Lighting for the United States of America and State of Utah flags.
 - e. Lighting for public or private outdoor events provided the lighting is turned off by 12:00 am and the event is in compliance with all other city ordinances.
 - f. Holiday lighting: Any decorative lighting put up on a temporary time period for the celebration of a special event or holiday.
 - g. The lighting of telecommunication towers to meet Federal Aviation Administration regulations.
 - h. Lighting at airports in order to comply with Federal Aviation Administration requirements. All other lighting must meet this section.
 - i. Lighting used only for recreational lighting when all reasonable measures have been taken to minimize the lighting of surrounding properties. Any adjacent luminaires surrounding the recreational facility, such as lighting for sidewalks, are not exempt.
 - j. Motion sensor lights that are on for less than five minutes at a time.
 - k. Lighting for agricultural uses, provided that sound agricultural practices are being met.
4. Nuisance lighting: Light trespass from all commercial and industrial properties to residential properties in a way that causes a nuisance is prohibited.
5. Diagrams and exhibits: Guidelines for outdoor lighting are below
 - a. Cutoff lights



Examples of Acceptable / Unacceptable Lighting Fixtures



4-2-2: ENUMERATION OF NUISANCES:

A. Specified: Nuisances shall include, but shall not be limited to, the following:

1. Rubbish: Keeping or depositing on, about or over property or premises, or maintaining or allowing to remain on said property or premises, any of the following:

- a. Rubbish, refuse, junk, trash or debris.
 - b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.
2. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes.
3. Privies, Cesspools: Allowing any privy vault or cesspool, or other individual wastewater disposal system, to become a menace to health or a source of odors or contamination to air or water.
4. Garbage Containers, Offensive: Permitting any garbage container to remain on the premises when it has become unclean and offensive.
5. Garbage Accumulation: Allowing vegetable waste, garbage, litter, filth or refuse of any nature to accumulate within or upon any property, except when it is temporarily deposited for immediate removal.
6. Manure Accumulation: Permitting the accumulation of manure in any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.
7. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or which is conducive to the breeding and proliferation of flies or rodents.
8. Discharging Offensive Water Or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so.
9. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.
10. Flies And Mosquitos: Having or permitting upon any premises any fly or mosquito producing condition.
11. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.

12. Ablutions Near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.

13. Dwellings Or Places Of Employment; Sanitary Condition: Failing to furnish any dwelling house, boarding house, factory, office or other place of employment with such privy vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.

14. Refusal To Clean Septic Tanks: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all septic tanks, privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the city.

15. Stagnant Water; Offensive Substances: Permitting any lot or excavation site to become the repository of stagnant water or any decaying or offensive substances.

16. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous to passage or travel any street or sidewalks, lake, stream, drainage, canal or basin, or any public park without first obtaining the written permission of the city council..

17. Lighting: Light trespass from a commercial or industrial property to a nearby residential property. Excessive light trespass from one residential property to another.

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION:

A. Parking Plans: Plans for any proposed parking lot shall be submitted to the Zoning Administrator. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed development.

B. Access To Public Street: Except for parking for a single- family or two-family dwelling and townhouses access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means.

C. Private Driveway: Parking for single-family and two-family dwellings may be accessed from a public street via a private driveway unless such access is a violation of the City's access management plan and other access is possible. Parking for townhouses may be accessed from a public street with a functional classification of "residential local" via a private driveway. Parking for townhouses on streets with a higher functional classification must provide parking that is accessed from a parking lot aisle and not directly from the public street. (Ord. 2018-03, 4-5-2018)

D. Backing Space: Backing space shall be provided for all parking lots so that cars will not back onto a public street. Public sidewalks shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so a vehicle will not exit by backing onto a public street.

E. Curb Cuts: Curb cuts and driveways allowing access to a public street shall conform to the requirements of chapter 35 of this title.

F. Internal Circulation: Each parking lot shall provide for traffic circulation on the property adequate to access all parts thereof without the necessity of exiting onto a public street.

G. Landscaping: Parking lots shall be landscaped as provided in chapter 32 of this title.

H. Lighting: Parking lots used at night shall be adequately lighted and comply with Hurricane City's outdoor lighting standards, utilizing hooded light sources. Parking lot lights shall be arranged to reflect light away from adjoining residential premises.

I. Paving: Unless expressly provided otherwise in this title, every parking lot required by this title shall:

1. Be paved with asphalt, concrete or some other all weather surfacing material;
2. Maintained to eliminate dust or mud; and
3. Be graded and drained to dispose of all surface water. Such surface water drainage shall not cross a public sidewalk. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-34 Off-Street Parking and Loading Requirements 10-34-5 Parking Location

D. Prohibited parking.

1. Vacant lots, public rights-of-way unless in designated on-street parking spots, or open land areas shall not be used as parking areas for customers or employees.
2. Overnight parking of vehicles for display other than in designated and improved areas shall be prohibited.

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION

J. Diagonal and Perpendicular On-Street Parking: Diagonal and perpendicular street parking on public streets is permitted in Multiple-family Residential (RM-1 RM-2, and RM-3), Mobile Home/RV Park (MH/RV), Open Space (OS), Public Facilities (PF), Residential Planned Development Overlay (PDO), and Recreation Resort (RR) zones when constructed compliant shall comply with the following standards. Shall only be located on residential local (typical 45' Right of Way Street Section) or residential standard (typical 52' Right of Way Street Section) roadways.

1. Diagonal and perpendicular on-street parking may only be used for a limited percentage of required parking for the following uses:

USE	PERCENTAGE OR NUMBER OF STREET PARKING OF REQUIRED PARKING
Multi-Family and Resort Units	10%
Parks	Up to 20 Spaces
Multi-Family or Resort Amenities	Up to 20 Spaces for Each Amenity
Commercial	5%
Planned Commercial and Mixed Use	20%
Government and Civic Use	10%
All Other Uses	10%

2. Shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Concrete must be 6" minimum and base course must be 6" thick minimum. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be paved with asphalt.
3. Parking stalls must be terminated by landscaped areas, twenty-foot (20') wide minimum, landscaped with two shrubs no higher than two feet, and at least one single tree pruned and located to ensure proper line of sight is maintained. The length of the landscaped areas shall match the length of the parking stalls. Runs of parking stalls greater than 10 spaces must be separated by 20' wide landscaped areas.
4. Parking shall not cross the sidewalk, and sidewalks shall wrap around the outside of parking areas. Where sidewalk is adjacent to on-street parking and subject to vehicle overhang, the sidewalk must be 6' wide minimum. Abrupt sidewalk transitions must be avoided. Changes in alignment greater than a forty-five-degree (45°) angle are abrupt.
5. Parking areas shall be located fifty feet minimum (50' min) from any intersection with a of public roadways, measured at the intersecting public street's lip of gutter to the nearest edge of the nearest parking stall.
6. On street parking shall be designed to continue stormwater and stormwater conveyance systems.
7. On-street parking and sidewalks shall be placed within the right-of-way or proper easements as follows:
 - a. Parking areas shall be contained within the right of way recorded on the plat, and all right-of-way boundaries shall run parallel with the center line of the street, or
 - b. Standard right-of-way cross sections shall apply, and cross access easement shall be recorded on the final plat containing the full parking space and sidewalks for the continued use and access of the public for the sidewalk.

These standards shall apply to street parking located in or adjacent to a public right-of-way. Proper method of recording these easements or rights-of-way shall be approved by the City.

8. The area designated as the downtown on the General Plan Map of the City's General Plan may use a street parking cross-section that does not comply with this code as long as it matches the existing cross-section in the area and is approved by the City Engineer. Alternate street parking design may be approved by the City Council as recommended by the City Engineer and the City Planning Department.
9. No on street parking areas shall interfere with other standards and specification within this chapter, Hurricane City Design Standards, International Fire Code, and State of Utah Traffic Codes.
10. On-street parking plans and cross sections shall be subject to approval of the City Engineer.
11. On-street parking stalls shall be 25' min from private accesses measured from parking stall to edge of driven access.

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH
AMENDING SECTION 10-3-4 AND CHAPTERS 10-13, 10-33, 10-34 AND 4-2 OF THE
HURRICANE CITY CODE.**

WHEREAS, the City Council of Hurricane, Utah has previously approved site plan design standards to ensure that well designed neighborhoods are built throughout the City; and

WHEREAS, a large number of multifamily and planned developments are being planned throughout the City; and

WHEREAS, the City Council finds it necessary and desirable to amend ordinances governing site plan design, open space and amenities, outdoor lighting, and parking in new developments; and

WHEREAS, the Planning Commission of Hurricane Utah has recommended the following changes to the Hurricane City Code;

BE IT HEREBY ORDAINED by the City Council of Hurricane Utah that Section 10-3-4 and Chapters 10-13, 10-33, 10-14 and 4-2 of the Hurricane City Code be, and are hereby, amended to read as follows:

10-3-4: DEFINITIONS OF WORDS AND PHRASES

Open Space means any space in a development that does not contain any structures or amenities, except that a park, as defined in this section, may qualify as Open Space. All Open Space must be completely landscaped with sod, trees, xeriscape, gardens, or agricultural uses; provided, however, that natural features such as hillsides, natural landscapes, washes, and other natural open spaces may also be considered Open Space if the area is useable. Only usable space qualifies as Open Space. Open Space with a horizontal width of less than 10 feet or a total area of less than 60 square feet is not considered usable. Areas with sensitive lands shall only qualify as Open Space if some feature or amenity is added, such as a trail, in order to make the land usable. Buildings, streets, parking lots, private yards, and landscaping within the rights-of-way for streets shall not be counted as Open Space.

10-13-7: SPECIAL REGULATIONS:

A. Animals: Within R1, RM, and MH/RV Zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown in section [10-13-4](#), [table 10-13-2](#) of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

C. Increased Height: Notwithstanding the height limitations shown in section [10-13-4](#), [table 10-13-2](#) of this chapter a greater building height may be allowed in Residential Zones pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

D. Separation: To buffer the dwelling areas and provide site safety, multi-family projects shall be separated from different land uses by means of a landscape barrier, a berm, a wall, or other means approved by the Planning Commission during final site plan. The commission will consider adjacent land uses and zoning when determining an acceptable separation design. (Ord. 2018-09, 9-6-2018)

~~E. Open space. In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus 50 percent of all additional floor area.~~

10-33-5: SITE PLAN DESIGN:

A. General Considerations: Site layout should help create a coherent and unified project. The impact of site design on surrounding property owners should be taken into consideration. Projects should be designed to minimize negative impacts on adjoining property.

B. Loading And Service Bays: Landscaped areas and walls should be used to decrease noise levels. Service and loading bays (automotive, service, tire, etc.) shall be oriented away from neighboring residential areas and major public streets.

C. Natural Features: Prominent natural features of land, as shown on a natural features inventory, such as hillsides, views or other features should be considered when designing the site. The design should seek to preserve significant natural features and avoid site design problems associated with floodplains, steep slopes, drainage areas, or other similar features.

D. Noise Impact: Site design shall include provisions for limiting noise, particularly as to adjacent residential property. The occupants of a development should be protected from noise from both outside and within the site through screening, berming, setbacks, and building materials. Noise generating equipment should be located and buffered to minimize impact on adjacent residential uses or districts.

E. Open Space:

1. Open space should be used as a buffer between adjacent properties.

2. The open space within a development should be integral to the development, not small leftover pieces of land.

3. One tree shall be planted for every 1,000 square feet of landscaped open space. These trees shall count toward the requirements of Sec. 10-32-5 of this title for multifamily developments with no front yard areas.

4. Courtyard areas should be designed as usable space.

5. Recreation and outdoor activity areas should be provided to accommodate all users. Development projects oriented toward elderly users should be provided with passive activities.

6. Amenities within a development project shall be proportional to the size of the project.

7. Open space should be an integral part of a development project, connecting recreational facilities with other areas utilizing continuous common areas.

8. Private open spaces such as patios and balconies are encouraged. Patios and balconies should be a minimum sixty (60) square feet in area and have a minimum narrow dimension of six feet (6').

9. In Multiple-Family Residential Zones and multi-family areas of Planned Developments, open landscaped space shall be at least 20% of the total land space of the development.

- a. Landscape Buffering should be a minimum of 10' wide, and shall contain a total of one tree and three shrubs for every 35' of the buffering area. Landscape buffering that is not otherwise required shall count as open space.
- b. Except for natural features such as hillsides, natural landscapes, washes, and other natural open spaces, all areas that are unencumbered by improvements shall be landscaped and treated in a way to control dust and weeds. This may include additional landscape treatments, rocks, or planting of natural vegetation.
- c. For townhome developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 15%.
- d. For duplex developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 10%.
- e. The Planning Commission, in its discretion, may lower the amount of open landscaped space or amenities required for a development under 50 units if the development is within a one-quarter mile of a City park.
- f. Open and common space must contain some kind of amenities as set forth below:

Number of units	Number of required amenities
0-15	0
16-50	1
51-100	3
101-200	4
201-300	5

- i. Developments above 300 units shall add one amenity for every 50 units.
- ii. Amenities may include, but are not limited to, pools of at least 1500 sq. ft., health or fitness facilities, playgrounds, community gardens, trail systems, dog parks, sport courts, and club houses. All amenities shall be built to commercial standards.
- iii. If multiple amenities are required, the type shall vary. Duplicates of amenities should be avoided but may be approved by the Planning Commission.
- iv. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. All amenities and open space shall have walking trails or sidewalks for access. Each unit within a development shall be within a quarter mile of an amenity. Where applicable, multiple amenities shall be placed throughout the property to ensure equitable access.
- v. Amenities shall either be maintained by common ownership or deeded to the City if the City agrees to accept ownership.
- vi. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission based on the Commission's determination of whether the number, nature, and size of the proposed amenities in the amenity plan satisfies the requirements and purposes of this chapter.
- vii. Development may be phased. Public and Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed or number of units in the subdivision. For example, if 25% of the units of the development are being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed concurrently.

- viii. All amenities designed and designated to be transferred to City ownership and maintenance must meet Hurricane City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.

F: Outdoor Lighting Plan: All final site plans shall submit an outdoor lighting plan that complies with City outdoor lighting standards.

G. Outside Storage: Approved outside storage areas shall be screened from street view and nearby residence, office, and commercial areas. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

H. Pedestrian Circulation:

1. A network of convenient, safe, and raised or textured pedestrian paths shall connect areas within the project, and should also connect the project to adjacent properties and transit facilities.

2. The location and number of access points to a site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to maximize safety and convenience, and should be harmonious with proposed and neighboring buildings.

3. Master planned trails shall be a minimum of 12 feet wide, primary trail systems that connect different developments shall be a minimum of 10 feet wide. Internal walkways (sidewalks) shall be a minimum of 5 feet wide. Primitive and unpaved trails are permitted in natural open space. All trails and pedestrian paths shall comply with pedestrian connectivity standards.

- a. For a trail to count as an amenity, it shall be paved, a minimum of 10' wide, and traverse the development from one end to the opposite end. Amenity trail systems shall connect to master planned trails, parks, schools, commercial areas, adjacent developments and other natural/primitive trail systems where applicable. Trail connectivity should be coordinated with adjacent properties.

4. For multifamily developments or Planned Developments, a pedestrian circulation plan shall be submitted with the Preliminary Site Plan application. Pedestrian circulation plans shall contain:

- a. Location of walkways;
 - b. Width of walkways;
 - c. Connection points between adjacent properties;
 - d. Location of Active Transportation Master Plan trails, if any, in the vicinity of the property and any internal pathways connections to these trails;
 - e. Connections between residential buildings and amenities; and

f. Street crossings and crosswalks which shall be clearly marked.

5. Covered or locked bicycle storage shall be provided in all multifamily developments at a rate of one space per two units. Bicycle storage shall be provided through private storage such as garages or storage units or public storage such as covered bike parking.—Bicycle storage shall be located to be convenient for residents' daily use.

I. Privacy: Site design and floor plan layouts should be organized to provide privacy for the proposed project and surrounding uses. Window and door placement, and patio/balcony areas should not directly overlook adjacent properties.

J. Security: A site should be designed to avoid creating conditions which may invite criminal activity.

1. Buildings, windows, and landscaping should be located to maximize surveillance of entryways, pathways, and parking lots.

2. Subject to Hurricane City's outdoor lighting standards, adequate lighting should be provided throughout the development.

K. Solar Exposure: An energy efficient design which reduces summer heat gain and winter heat loss and encourages outdoor usable areas should be incorporated into the site plan.

1. An energy efficient design to reduce summer heat gain through window and door placement, and landscaping, use of innovative construction materials, or building orientations is encouraged.

2. Providing shade for outdoor activity areas such as picnic areas and courtyards is encouraged.

L. Trash And Refuse Collection Areas: Areas which generate noise and odors shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. Refuse enclosures at highly visible locations should be six feet (6') high, constructed of materials to match main buildings on the site, and provide latching gates for screening the opening to the enclosure.

M. Walls:

1. Different projects and uses should be physically separated to minimize the impact of unattractive or noisy areas and provide a buffer between properties.

2. Walls which front on a public street should be designed to include colors, materials, forms, and architectural accents compatible with the main building.

3. Minimum requirements for screening walls: See chapter 37 of this title.

N. Auxiliary Equipment:

1. Generators and other large auxiliary equipment should be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for occupants of neighboring properties.

2. Equipment should be kept low to the ground.

3. Walls, landscaping, and other materials shall be used to screen auxiliary equipment.

O. Minimum Site Plan Requirements: See applicable base and overlay zone standards (chapters 11 to 30) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-33-7: OUTDOOR LIGHTING

The purpose of this section is to encourage lighting practices that minimize light pollution, glare, light trespass, and sky glow to preserve the night sky and the rural character of our community

1. Scope: All exterior lighting installed after the effective date of this ordinance shall conform to the requirements of this section.

2. Requirements: Only lighting that is needed shall be installed.

a. For commercial and industrial properties: exterior lighting shall be fully cut off, focused downwards, and fully shielded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjacent properties.

i. Fully cut off lighting shall be defined as lighting fixtures that have completely opaque tops and sides, such that light can only escape from the bottom and is aimed towards the ground with no light aiming upwards.

b. All new exterior lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.

c. Walkway lighting within multifamily developments and planned developments shall be fully shielded and no more than one thousand (1000) lumens and no more than three feet above the ground.

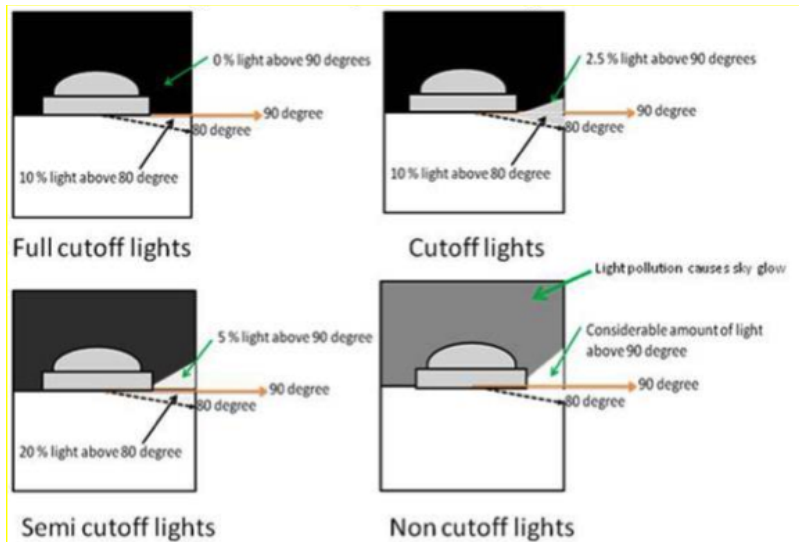
d. Motion sensor lighting shall not remain illuminated for more than five minutes at a time.

e. Gas station canopy and drive-up cover lighting shall be down-lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.

f. Recreational facilities shall be required to have full cutoff light fixtures and not have light trespass onto adjacent properties except for where it is unavoidable.

g. Light poles with floodlights in parking lots and other such facilities shall not exceed eighteen (18) feet in height and shall adhere to all other requirements of this chapter.

- h. Signs: Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting.
- 3. Exceptions: The following classifications of lighting are exempt from this section:
 - a. Lighting that has a brightness of less than one thousand (1,000) lumens (approximately one 60 watt incandescent light bulb).
 - b. Floodlights that have external shielding of the light source and are angled towards the ground at 30 degrees or less.
 - c. Temporary lighting by emergency services.
 - d. Lighting for the United States of America and State of Utah flags.
 - e. Lighting for public or private outdoor events provided the lighting is turned off by 12:00 am and the event is in compliance with all other City ordinances.
 - f. Holiday lighting: Any decorative lighting put up on a temporary time period for the celebration of a special event or holiday.
 - g. The lighting of telecommunication towers to meet Federal Aviation Administration regulations.
 - h. Lighting at airports to comply with Federal Aviation Administration requirements. All other airport lighting must meet the requirements of this section.
 - i. Lighting used only for recreational lighting when all reasonable measures have been taken to minimize the lighting of surrounding properties. Any adjacent luminaires surrounding the recreational facility, such as lighting for sidewalks, are not exempt.
 - j. Motion sensor lights that are on for less than five minutes at a time.
 - k. Lighting for agricultural uses, provided that sound agricultural practices are being met.
- 4. Nuisance lighting: Light trespass from all commercial and industrial properties to residential properties in a way that causes a nuisance is prohibited.
- 5. Diagrams and exhibits: Guidelines for outdoor lighting are below
 - a. Cutoff lights



Examples of Acceptable / Unacceptable Lighting Fixtures



Illustrations by Bob Crelin© 2005. Rendered for the Town of Southampton, NY. Used with permission.

4-2-2: ENUMERATION OF NUISANCES:

A. Specified: Nuisances shall include, but shall not be limited to, the following:

1. Rubbish: Keeping or depositing on, about or over property or premises, or maintaining or allowing to remain on said property or premises, any of the following:

- a. Rubbish, refuse, junk, trash or debris.
 - b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.
2. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes.
3. Privies, Cesspools: Allowing any privy vault or cesspool, or other individual wastewater disposal system, to become a menace to health or a source of odors or contamination to air or water.
4. Garbage Containers, Offensive: Permitting any garbage container to remain on the premises when it has become unclean and offensive.
5. Garbage Accumulation: Allowing vegetable waste, garbage, litter, filth or refuse of any nature to accumulate within or upon any property, except when it is temporarily deposited for immediate removal.
6. Manure Accumulation: Permitting the accumulation of manure in any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.
7. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or which is conducive to the breeding and proliferation of flies or rodents.
8. Discharging Offensive Water Or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so.
9. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.
10. Flies And Mosquitos: Having or permitting upon any premises any fly or mosquito producing condition.
11. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.
12. Ablutions Near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.
13. Dwellings Or Places Of Employment; Sanitary Condition: Failing to furnish any dwelling house, boarding house, factory, office or other place of employment with such privy

vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.

14. Refusal To Clean Septic Tanks: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all septic tanks, privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the city.

15. Stagnant Water; Offensive Substances: Permitting any lot or excavation site to become the repository of stagnant water or any decaying or offensive substances.

16. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous to passage or travel any street or sidewalks, lake, stream, drainage, canal or basin, or any public park without first obtaining the written permission of the city council..

17. Lighting: Light trespass from a commercial or industrial property to a nearby residential property. Excessive light trespass from one residential property to another.

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION:

A. Parking Plans: Plans for any proposed parking lot shall be submitted to the Zoning Administrator. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed development.

B. Access To Public Street: Except for parking for a single- family or two-family dwelling and townhouses access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means.

C. Private Driveway: Parking for single-family and two-family dwellings may be accessed from a public street via a private driveway unless such access is a violation of the City's access management plan and other access is possible. Parking for townhouses may be accessed from a public street with a functional classification of "residential local" via a private driveway. Parking for townhouses on streets with a higher functional classification must provide parking that is accessed from a parking lot aisle and not directly from the public street. (Ord. 2018-03, 4-5-2018)

D. Backing Space: Backing space shall be provided for all parking lots so that cars will not back onto a public street. Public sidewalks shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so a vehicle will not exit by backing onto a public street.

E. Curb Cuts: Curb cuts and driveways allowing access to a public street shall conform to the requirements of chapter 35 of this title.

F. Internal Circulation: Each parking lot shall provide for traffic circulation on the property adequate to access all parts thereof without the necessity of exiting onto a public street.

G. Landscaping: Parking lots shall be landscaped as provided in chapter 32 of this title.

H. Lighting: Parking lots used at night shall be adequately lighted and comply with Hurricane City's outdoor lighting standards.

I. Paving: Unless expressly provided otherwise in this title, every parking lot required by this title shall:

1. Be paved with asphalt, concrete or some other all weather surfacing material;
2. Maintained to eliminate dust or mud; and
3. Be graded and drained to dispose of all surface water. Such surface water drainage shall not cross a public sidewalk. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-34 Parking and Loading Requirements

...

10-34-5 Parking Location

...

D. Prohibited parking.

1. Vacant lots, public rights-of-way unless in designated on-street parking spots, or open land areas shall not be used as parking areas for customers or employees.

2. Overnight parking of vehicles for display other than in designated and improved areas shall be prohibited.

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION

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J. Diagonal and Perpendicular On-Street Parking on Public Streets: Diagonal and perpendicular street parking on public streets is permitted in Multiple-family Residential (RM-1 RM-2, and RM-3), Mobile Home/RV Park (MH/RV), Open Space (OS), Public Facilities (PF), Residential Planned Development Overlay (PDO), and Recreation Resort (RR) zones when constructed and approved pursuant to the following standards. Diagonal and perpendicular on-street parking shall only be located on residential local (typical 45' Right of Way Street Section) or residential standard (typical 52' Right of Way Street Section) roadways.

1. Diagonal and perpendicular on-street parking may only be used for a limited percentage of required parking for the following uses:

USE	PERCENTAGE OR NUMBER OF STREET PARKING OF REQUIRED PARKING
Multi-Family and Resort Units	10%
Parks	Up to 20 Spaces
Multi-Family or Resort Amenities	Up to 20 Spaces for Each Amenity
Commercial	5%
Planned Commercial and Mixed Use	20%
Government and Civic Use	10%
All Other Uses	10%

2. Diagonal and perpendicular on-street parking shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Concrete must be 6” minimum and base course must be 6” thick minimum. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be paved with asphalt.
3. Diagonal and perpendicular on-street parking stalls must be terminated by landscaped areas that are a minimum of twenty feet (20’) wide, landscaped with two shrubs no higher than two feet, and contain at least one tree pruned and located to ensure proper line of sight is maintained for motorists and pedestrians. The length of the landscaped areas shall match the length of the parking stalls. No more than 10 adjacent parking stalls are permitted. A number of parking stalls in excess of 10 is permitted if separated by a 20’ wide landscaped area.
4. Diagonal and perpendicular on-street parking shall not cross any sidewalk, and sidewalks shall wrap around the outside of parking areas. Where a sidewalk is adjacent to on-street parking and subject to vehicle overhang, the sidewalk must be a minimum of 6’ wide. Abrupt sidewalk transitions are not permitted. Changes in alignment greater than a forty-five-degree (45°) angle are abrupt.
5. Diagonal and perpendicular on-street parking shall be located a minimum of 50’ from any intersection of a public roadway, measured at the intersecting public street’s lip of gutter to the nearest edge of the nearest parking stall.
6. Diagonal and perpendicular on-street parking shall be designed to continue stormwater and stormwater conveyance systems.
7. Diagonal and perpendicular on-street parking and sidewalks shall be placed within the right-of-way or proper easements as follows:
 - a. Parking areas shall be contained within the right-of-way recorded on the plat, and all right-of-way boundaries shall run parallel with the center line of the street, or
 - b. Standard right-of-way cross sections shall apply, and cross access easement shall be recorded on the final plat containing the full parking space and sidewalks for the continued use and access of the public for the sidewalk.

These standards shall apply to street parking located in or adjacent to a public right-of-way. Proper method of recording these easements or rights-of-way shall be approved by the City.

8. The area designated as the downtown on the General Plan Map of the City's General Plan may use a street parking cross-section that does not comply with this code as long as it matches the existing cross-section in the area and is approved by the City Engineer. Alternate street parking design may be approved by the City Council as recommended by the City Engineer and the City Planning Department.
9. No on street parking areas shall interfere with other standards and specification within this chapter, Hurricane City Design Standards, International Fire Code, and State of Utah Traffic Codes.
10. On-street parking plans and cross sections shall be subject to approval of the City Engineer.
11. On-street parking stalls shall be 25' min from private accesses measured from parking stall to edge of driven access.

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AMENDING SECTION 10-3-4 AND CHAPTERS 10-13, 10-33, 10-34 AND 4-2 OF THE
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WHEREAS, the City Council finds it necessary and desirable to amend ordinances governing site plan design, open space and amenities, outdoor lighting, and parking in new developments; and

WHEREAS, the Planning Commission of Hurricane Utah has recommended the following changes to the Hurricane City Code;

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Open Space means any space in a development that does not contain any structures or amenities, except that a park, as defined in this section, may qualify as Open Space. All Open Space must be completely landscaped with sod, trees, xeriscape, gardens, or agricultural uses; provided, however, that natural features such as hillsides, natural landscapes, washes, and other natural open spaces may also be considered Open Space if the area is useable. Only usable space qualifies as Open Space. Open Space with a horizontal width of less than 10 feet or a total area of less than 60 square feet is not considered usable. Areas with sensitive lands shall only qualify as Open Space if some feature or amenity is added, such as a trail, in order to make the land usable. Buildings, streets, parking lots, private yards, and landscaping within the rights-of-way for streets shall not be counted as Open Space.

10-13-7: SPECIAL REGULATIONS:

A. Animals: Within R1, RM, and MH/RV Zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown in section [10-13-4](#), [table 10-13-2](#) of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

C. Increased Height: Notwithstanding the height limitations shown in section [10-13-4](#), [table 10-13-2](#) of this chapter a greater building height may be allowed in Residential Zones pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

D. Separation: To buffer the dwelling areas and provide site safety, multi-family projects shall be separated from different land uses by means of a landscape barrier, a berm, a wall, or other means approved by the Planning Commission during final site plan. The commission will consider adjacent land uses and zoning when determining an acceptable separation design. (Ord. 2018-09, 9-6-2018)

10-33-5: SITE PLAN DESIGN:

A. General Considerations: Site layout should help create a coherent and unified project. The impact of site design on surrounding property owners should be taken into consideration. Projects should be designed to minimize negative impacts on adjoining property.

B. Loading And Service Bays: Landscaped areas and walls should be used to decrease noise levels. Service and loading bays (automotive, service, tire, etc.) shall be oriented away from neighboring residential areas and major public streets.

C. Natural Features: Prominent natural features of land, as shown on a natural features inventory, such as hillsides, views or other features should be considered when designing the site. The design should seek to preserve significant natural features and avoid site design problems associated with floodplains, steep slopes, drainage areas, or other similar features.

D. Noise Impact: Site design shall include provisions for limiting noise, particularly as to adjacent residential property. The occupants of a development should be protected from noise from both outside and within the site through screening, berming, setbacks, and building materials. Noise generating equipment should be located and buffered to minimize impact on adjacent residential uses or districts.

E. Open Space:

1. Open space should be used as a buffer between adjacent properties.
2. The open space within a development should be integral to the development, not small leftover pieces of land.
3. One tree shall be planted for every 1,000 square feet of landscaped open space. These trees shall count toward the requirements of Sec. 10-32-5 of this title for multifamily developments with no front yard areas.

4. Courtyard areas should be designed as usable space.
5. Recreation and outdoor activity areas should be provided to accommodate all users. Development projects oriented toward elderly users should be provided with passive activities.
6. Amenities within a development project shall be proportional to the size of the project.
7. Open space should be an integral part of a development project, connecting recreational facilities with other areas utilizing continuous common areas.
8. Private open spaces such as patios and balconies are encouraged. Patios and balconies should be a minimum sixty (60) square feet in area and have a minimum narrow dimension of six feet (6').
9. In Multiple-Family Residential Zones and multi-family areas of Planned Developments, open landscaped space shall be at least 20% of the total land space of the development.
 - a. Landscape Buffering should be a minimum of 10' wide, and shall contain a total of one tree and three shrubs for every 35' of the buffering area. Landscape buffering that is not otherwise required shall count as open space.
 - b. Except for natural features such as hillsides, natural landscapes, washes, and other natural open spaces, all areas that are unencumbered by improvements shall be landscaped and treated in a way to control dust and weeds. This may include additional landscape treatments, rocks, or planting of natural vegetation.
 - c. For townhome developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 15%.
 - d. For duplex developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 10%.
 - e. The Planning Commission, in its discretion, may lower the amount of open landscaped space or amenities required for a development under 50 units if the development is within a one-quarter mile of a City park.
 - f. Open and common space must contain some kind of amenities as set forth below:

Number of units	Number of required amenities
0-15	0
16-50	1
51-100	3

101-200	4
201-300	5

- i. Developments above 300 units shall add one amenity for every 50 units.
- ii. Amenities may include, but are not limited to, pools of at least 1500 sq. ft., health or fitness facilities, playgrounds, community gardens, trail systems, dog parks, sport courts, and club houses. All amenities shall be built to commercial standards.
- iii. If multiple amenities are required, the type shall vary. Duplicates of amenities should be avoided but may be approved by the Planning Commission.
- iv. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. All amenities and open space shall have walking trails or sidewalks for access. Each unit within a development shall be within a quarter mile of an amenity. Where applicable, multiple amenities shall be placed throughout the property to ensure equitable access.
- v. Amenities shall either be maintained by common ownership or deeded to the City if the City agrees to accept ownership.
- vi. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission based on the Commission's determination of whether the number, nature, and size of the proposed amenities in the amenity plan satisfies the requirements and purposes of this chapter.
- vii. Development may be phased. Public and Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed or number of units in the subdivision. For example, if 25% of the units of the development are being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed concurrently.
- viii. All amenities designed and designated to be transferred to City ownership and maintenance must meet Hurricane City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.

F: Outdoor Lighting Plan: All final site plans shall submit an outdoor lighting plan that complies with City outdoor lighting standards.

G. Outside Storage: Approved outside storage areas shall be screened from street view and nearby residence, office, and commercial areas. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

H. Pedestrian Circulation:

1. A network of convenient, safe, and raised or textured pedestrian paths shall connect areas within the project, and should also connect the project to adjacent properties and transit facilities.

2. The location and number of access points to a site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to maximize safety and convenience, and should be harmonious with proposed and neighboring buildings.

3. Master planned trails shall be a minimum of 12 feet wide, primary trail systems that connect different developments shall be a minimum of 10 feet wide. Internal walkways (sidewalks) shall be a minimum of 5 feet wide. Primitive and unpaved trails are permitted in natural open space. All trails and pedestrian paths shall comply with pedestrian connectivity standards.

- a. For a trail to count as an amenity, it shall be paved, a minimum of 10' wide, and traverse the development from one end to the opposite end. Amenity trail systems shall connect to master planned trails, parks, schools, commercial areas, adjacent developments and other natural/primitive trail systems where applicable. Trail connectivity should be coordinated with adjacent properties.

4. For multifamily developments or Planned Developments, a pedestrian circulation plan shall be submitted with the Preliminary Site Plan application. Pedestrian circulation plans shall contain:

- a. Location of walkways;
- b. Width of walkways;
- c. Connection points between adjacent properties;
- d. Location of Active Transportation Master Plan trails, if any, in the vicinity of the property and any internal pathways connections to these trails;
- e. Connections between residential buildings and amenities; and
- f. Street crossings and crosswalks which shall be clearly marked.

5. Covered or locked bicycle storage shall be provided in all multifamily developments at a rate of one space per two units. Bicycle storage shall be provided through private storage such as garages or storage units or public storage such as covered bike parking—Bicycle storage shall be located to be convenient for residents' daily use.

I. Privacy: Site design and floor plan layouts should be organized to provide privacy for the proposed project and surrounding uses. Window and door placement, and patio/balcony areas should not directly overlook adjacent properties.

J. Security: A site should be designed to avoid creating conditions which may invite criminal activity.

1. Buildings, windows, and landscaping should be located to maximize surveillance of entryways, pathways, and parking lots.

2. Subject to Hurricane City's outdoor lighting standards, adequate lighting should be provided throughout the development.

K. Solar Exposure: An energy efficient design which reduces summer heat gain and winter heat loss and encourages outdoor usable areas should be incorporated into the site plan.

1. An energy efficient design to reduce summer heat gain through window and door placement, and landscaping, use of innovative construction materials, or building orientations is encouraged.

2. Providing shade for outdoor activity areas such as picnic areas and courtyards is encouraged.

L. Trash And Refuse Collection Areas: Areas which generate noise and odors shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. Refuse enclosures at highly visible locations should be six feet (6') high, constructed of materials to match main buildings on the site, and provide latching gates for screening the opening to the enclosure.

M. Walls:

1. Different projects and uses should be physically separated to minimize the impact of unattractive or noisy areas and provide a buffer between properties.

2. Walls which front on a public street should be designed to include colors, materials, forms, and architectural accents compatible with the main building.

3. Minimum requirements for screening walls: See chapter 37 of this title.

N. Auxiliary Equipment:

1. Generators and other large auxiliary equipment should be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for occupants of neighboring properties.

2. Equipment should be kept low to the ground.

3. Walls, landscaping, and other materials shall be used to screen auxiliary equipment.

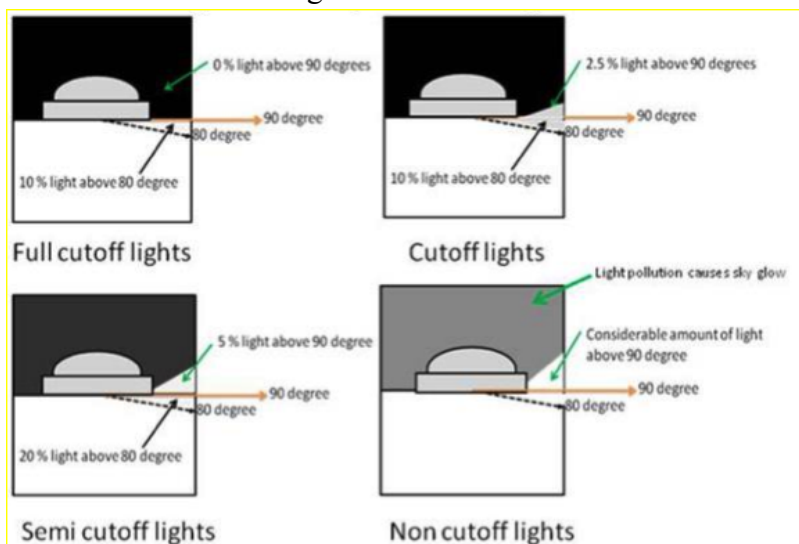
O. Minimum Site Plan Requirements: See applicable base and overlay zone standards (chapters 11 to 30) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-33-7: OUTDOOR LIGHTING

The purpose of this section is to encourage lighting practices that minimize light pollution, glare, light trespass, and sky glow to preserve the night sky and the rural character of our community

1. Scope: All exterior lighting installed after the effective date of this ordinance shall conform to the requirements of this section.
2. Requirements: Only lighting that is needed shall be installed.
 - a. For commercial and industrial properties: exterior lighting shall be fully cut off, focused downwards, and fully shielded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjacent properties.
 - i. Fully cut off lighting shall be defined as lighting fixtures that have completely opaque tops and sides, such that light can only escape from the bottom and is aimed towards the ground with no light aiming upwards.
 - b. All new exterior lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.
 - c. Walkway lighting within multifamily developments and planned developments shall be fully shielded and no more than one thousand (1000) lumens and no more than three feet above the ground.
 - d. Motion sensor lighting shall not remain illuminated for more than five minutes at a time.
 - e. Gas station canopy and drive-up cover lighting shall be down-lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.
 - f. Recreational facilities shall be required to have full cutoff light fixtures and not have light trespass onto adjacent properties except for where it is unavoidable.
 - g. Light poles with floodlights in parking lots and other such facilities shall not exceed eighteen (18) feet in height and shall adhere to all other requirements of this chapter.
 - h. Signs: Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting.
3. Exceptions: The following classifications of lighting are exempt from this section:

- a. Lighting that has a brightness of less than one thousand (1,000) lumens (approximately one 60 watt incandescent light bulb).
 - b. Floodlights that have external shielding of the light source and are angled towards the ground at 30 degrees or less.
 - c. Temporary lighting by emergency services.
 - d. Lighting for the United States of America and State of Utah flags.
 - e. Lighting for public or private outdoor events provided the lighting is turned off by 12:00 am and the event is in compliance with all other City ordinances.
 - f. Holiday lighting: Any decorative lighting put up on a temporary time period for the celebration of a special event or holiday.
 - g. The lighting of telecommunication towers to meet Federal Aviation Administration regulations.
 - h. Lighting at airports to comply with Federal Aviation Administration requirements. All other airport lighting must meet the requirements of this section.
 - i. Lighting used only for recreational lighting when all reasonable measures have been taken to minimize the lighting of surrounding properties. Any adjacent luminaires surrounding the recreational facility, such as lighting for sidewalks, are not exempt.
 - j. Motion sensor lights that are on for less than five minutes at a time.
 - k. Lighting for agricultural uses, provided that sound agricultural practices are being met.
4. Nuisance lighting: Light trespass from all commercial and industrial properties to residential properties in a way that causes a nuisance is prohibited.
 5. Diagrams and exhibits: Guidelines for outdoor lighting are below
 - a. Cutoff lights



Examples of Acceptable / Unacceptable Lighting Fixtures



4-2-2: ENUMERATION OF NUISANCES:

A. Specified: Nuisances shall include, but shall not be limited to, the following:

1. Rubbish: Keeping or depositing on, about or over property or premises, or maintaining or allowing to remain on said property or premises, any of the following:

- a. Rubbish, refuse, junk, trash or debris.
- b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.

2. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes.

3. Privies, Cesspools: Allowing any privy vault or cesspool, or other individual wastewater disposal system, to become a menace to health or a source of odors or contamination to air or water.

4. Garbage Containers, Offensive: Permitting any garbage container to remain on the premises when it has become unclean and offensive.

5. Garbage Accumulation: Allowing vegetable waste, garbage, litter, filth or refuse of any nature to accumulate within or upon any property, except when it is temporarily deposited for immediate removal.
6. Manure Accumulation: Permitting the accumulation of manure in any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.
7. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or which is conducive to the breeding and proliferation of flies or rodents.
8. Discharging Offensive Water Or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so.
9. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.
10. Flies And Mosquitos: Having or permitting upon any premises any fly or mosquito producing condition.
11. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.
12. Ablutions Near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.
13. Dwellings Or Places Of Employment; Sanitary Condition: Failing to furnish any dwelling house, boarding house, factory, office or other place of employment with such privy vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.
14. Refusal To Clean Septic Tanks: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all septic tanks, privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the city.
15. Stagnant Water; Offensive Substances: Permitting any lot or excavation site to become the repository of stagnant water or any decaying or offensive substances.
16. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous to passage or travel any street or sidewalks, lake, stream,

drainage, canal or basin, or any public park without first obtaining the written permission of the city council..

17. Lighting: Light trespass from a commercial or industrial property to a nearby residential property. Excessive light trespass from one residential property to another.

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION:

A. Parking Plans: Plans for any proposed parking lot shall be submitted to the Zoning Administrator. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed development.

B. Access To Public Street: Except for parking for a single- family or two-family dwelling and townhouses access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means.

C. Private Driveway: Parking for single-family and two-family dwellings may be accessed from a public street via a private driveway unless such access is a violation of the City's access management plan and other access is possible. Parking for townhouses may be accessed from a public street with a functional classification of "residential local" via a private driveway. Parking for townhouses on streets with a higher functional classification must provide parking that is accessed from a parking lot aisle and not directly from the public street. (Ord. 2018-03, 4-5-2018)

D. Backing Space: Backing space shall be provided for all parking lots so that cars will not back onto a public street. Public sidewalks shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so a vehicle will not exit by backing onto a public street.

E. Curb Cuts: Curb cuts and driveways allowing access to a public street shall conform to the requirements of chapter 35 of this title.

F. Internal Circulation: Each parking lot shall provide for traffic circulation on the property adequate to access all parts thereof without the necessity of exiting onto a public street.

G. Landscaping: Parking lots shall be landscaped as provided in chapter 32 of this title.

H. Lighting: Parking lots used at night shall be adequately lighted and comply with Hurricane City's outdoor lighting standards.

I. Paving: Unless expressly provided otherwise in this title, every parking lot required by this title shall:

1. Be paved with asphalt, concrete or some other all weather surfacing material;
2. Maintained to eliminate dust or mud; and
3. Be graded and drained to dispose of all surface water. Such surface water drainage shall not cross a public sidewalk. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-34 Parking and Loading Requirements

...

10-34-5 Parking Location

...

D. Prohibited parking.

1. Vacant lots, public rights-of-way unless in designated on-street parking spots, or open land areas shall not be used as parking areas for customers or employees.
2. Overnight parking of vehicles for display other than in designated and improved areas shall be prohibited.

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION

...

J. Diagonal and Perpendicular On-Street Parking on Public Streets: Diagonal and perpendicular street parking on public streets is permitted in Multiple-family Residential (RM-1 RM-2, and RM-3), Mobile Home/RV Park (MH/RV), Open Space (OS), Public Facilities (PF), Residential Planned Development Overlay (PDO), and Recreation Resort (RR) zones when constructed and approved pursuant to the following standards. Diagonal and perpendicular on-street parking shall only be located on residential local (typical 45' Right of Way Street Section) or residential standard (typical 52' Right of Way Street Section) roadways.

1. Diagonal and perpendicular on-street parking may only be used for a limited percentage of required parking for the following uses:

USE	PERCENTAGE OR NUMBER OF STREET PARKING OF REQUIRED PARKING
Multi-Family and Resort Units	10%
Parks	Up to 20 Spaces
Multi-Family or Resort Amenities	Up to 20 Spaces for Each Amenity
Commercial	5%
Planned Commercial and Mixed Use	20%
Government and Civic Use	10%
All Other Uses	10%

2. Diagonal and perpendicular on-street parking shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Concrete must be 6" minimum and base course must be 6" thick minimum. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be paved with asphalt.
3. Diagonal and perpendicular on-street parking stalls must be terminated by landscaped areas that are a minimum of twenty feet (20') wide, landscaped with two shrubs no higher than two feet, and contain at least one tree pruned and located to ensure proper line of sight is maintained for motorists and pedestrians. The length of the landscaped areas shall match the length of the parking stalls. No more than 10 adjacent parking stalls are permitted. A number of parking stalls in excess of 10 is permitted if separated by a 20' wide landscaped area.
4. Diagonal and perpendicular on-street parking shall not cross any sidewalk, and sidewalks shall wrap around the outside of parking areas. Where a sidewalk is adjacent to on-street parking and subject to vehicle overhang, the sidewalk must be a minimum of 6' wide. Abrupt sidewalk transitions are not permitted. Changes in alignment greater than a forty-five-degree (45°) angle are abrupt.
5. Diagonal and perpendicular on-street parking shall be located a minimum of 50' from any intersection of a public roadway, measured at the intersecting public street's lip of gutter to the nearest edge of the nearest parking stall.
6. Diagonal and perpendicular on-street parking shall be designed to continue stormwater and stormwater conveyance systems.
7. Diagonal and perpendicular on-street parking and sidewalks shall be placed within the right-of-way or proper easements as follows:
 - a. Parking areas shall be contained within the right-of-way recorded on the plat, and all right-of-way boundaries shall run parallel with the center line of the street, or
 - b. Standard right-of-way cross sections shall apply, and cross access easement shall be recorded on the final plat containing the full parking space and sidewalks for the continued use and access of the public for the sidewalk.

These standards shall apply to street parking located in or adjacent to a public right-of-way. Proper method of recording these easements or rights-of-way shall be approved by the City.

8. The area designated as the downtown on the General Plan Map of the City's General Plan may use a street parking cross-section that does not comply with this code as long as it matches the existing cross-section in the area and is approved by the City Engineer. Alternate street parking design may be approved by the City Council as recommended by the City Engineer and the City Planning Department.
9. No on street parking areas shall interfere with other standards and specification within this chapter, Hurricane City Design Standards, International Fire Code, and State of Utah Traffic Codes.

10. On-street parking plans and cross sections shall be subject to approval of the City Engineer.
11. On-street parking stalls shall be 25' min from private accesses measured from parking stall to edge of driven access.

BE IT FURTHER ORDAINED that this Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 18th day of August 2022.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 18th day of August 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
David Sanders	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Doug Heideman	_____	_____	_____	_____

Cindy Beteag, Recorder



STAFF COMMENTS

Consideration and possible approval of a **road access control gate that complies with IFCD103.5**

Discussion:

Findings:

Crash gate will cost \$1500.00. Minutes from the 5/19/22 meeting. Brady Tapp stated he built a home in Hurricane because of what the area has to offer. They were aware of what the master plan was but thought it would take many years to develop fully. Zion RV Park was required to include access on 200 South to connect to 1515 West. It was explained that the road was necessary for emergency access. That has not been its function. The road is being used as direct access, and the road is not wide enough for two vehicles. The traffic from the RV park is impacting the neighborhood. Those staying in the RV park are not respecting the noise ordinance. They are intruding on the privacy and safety of the surrounding homes. The owners of Zions RV have been good to work with, and they are trying to manage the vehicle and pedestrian traffic, however, Ace Hardware may purchase the property next to the RV Park. If that happens, the increased traffic will cause traffic to flow through 1515 West.

Mayor Billings explained that when a road is dedicated, it is a public road that anyone can use. The road is not wide enough because it is not fully developed.

Mr. Tapp stated that roads are necessary to connect this development. He understands that there is access from State Street to the potential Ace Hardware, but most patrons will choose the easiest way to the business, which forces traffic into the residential neighborhood.

Councilman Hirschi stated Tom Kuhlman recommended an emergency crash gate at 1515 West to stop the access. Mayor Billings stated that the emergency crash gates can only be on private property. Dayton Hall explained that the half road was dedicated to the City and cannot be closed unless there is a public hearing and process.

Dale Grange reported that thirteen citizens had waited six hours to speak during this discussion. This is a clear indicator of the vested interest. He feels that when the RV Park was reviewed, the uses were not compatible. He asked for a physical barrier between them. There has been significant vehicle traffic, foot traffic, and trash. People are coming onto his property picking pecans. He asked Council to do something to maintain their quality of life. He appreciates the master plan, but there are times when it might have to be looked at again.

Having Ace Hardware in this area will increase traffic, and cars will use the back access.

Mayor Billings reported that State Law requires a barrier or road between developments, and the road satisfies the barrier requirements.

Mr. Tapp stated that a barrier is meant to prevent a mixture of uses. A road doesn't serve as a barrier. Councilman Hirschi stated that a crash gate will stop vehicle and pedestrian traffic.

Councilman Heideman recommended a block wall along the property because a crash gate

will not stop pedestrian traffic. Mayor Billings stated that the City nor the RV park has the funds to pay for a block wall. The RV Park paid to put the road in because it was required. Councilman Thomas feels that the City created a problem when the RV park was approved. Arthur LeBaron does not have a solution. When 200 South is developed, it will create more traffic through the development. He agrees that the road is not wide enough for two cars to pass. There is also a water line below the half road. The crash gate or block wall could be a solution, but who finances that. Councilman Thomas suggested splitting the cost between the City, citizens, and RV Park owners. Councilman Hirschi proposed researching the cost of a crash gate or block wall.

Casey Lofthouse asked if Zion RV Park is considered a subdivision. Mr. Nelson reported that they did not subdivide their property. Mr. Lofthouse read the definition of subdivision. City code would require a block wall if this was a subdivision. 200 South was not aligned properly. The alignment was divided between two property lines. Now it is half-built, and if it is developed entirely, a property owner will be faced with an exaction from their property. It should have been moved thirty feet to the north so that homeowners would not have to lose their homes. A master plan should be in harmony with the existing properties. He reported that the road was moved to accommodate business owners, and he questions why it wasn't moved to accommodate residential property. This will force commercial traffic into a subdivision that has been a dead-end road for many years. He sent an email to all of the City Council members. He asked them to read it and find a solution to what he feels has been an oversight of the City. Mr. LeBaron agreed that eminent domain is a legal tool for the government. Master-planned roads are built as development progresses. However, there are times when the City has to put in a master planned road in areas that developers are not developing. The City tries to split property lines with roadways, which is the case with 200 South. Councilman Thomas thinks there have been some unanticipated consequences.

Mr. Tapp stated that 1515 W will have to be widened, depending on traffic and development, and there are one-hundred-year-old historic trees there. One resident has a pool that is in the proposed roadway. There are short-term solutions that can work, but long term, there are major impacts and problems with widening 1515 West.

Recommendation:

Attachments:

None



147 N 870 WEST, HURRICANE, UTAH 84737
 PHONE: 435-635-2811 FAX: 435-635-2184
 www.cityofhurricane.com

Date of Application

8/4/22
 Permit Fee \$250.00
 Application Fee \$50.00
 Total Due \$300.00

◆ SINGLE EVENT BEER PERMIT ◆

NOTICE: Please complete each statement below. Incomplete applications will not be accepted.

SECTION A — BUSINESS INFORMATION

Name of Business: R&D Entertainment LLC
 Business Phone: 435 299 9877 Fax Number: _____
 Contact Person: Reed Brasher
 Business Address: _____
(Street Number) (Suite) (City) (State) (Zip)
 Mailing Address (if different): _____
(Street Number) (City) (State) (Zip)
 State Sales Tax Number: _____ Does this business have a current DABC license: _____

Business Type (check one):

Proprietorship ☒ Partnership ☐ Corporation ☐ Religious Organization ☐ Non-profit Corporation ☐

SECTION B — EVENT INFORMATION

Event Name: UTV TAKEOVER
 Event Venue: Sand Hollow
(Street Number) (Suite) (City) (State) (Zip)
 Date (s) of the event: Oct 18th - 24th Alcohol Service hours: _____ to _____
 Type of Event: off road event
 Will food be available? yes Full Meals? no Will minors attend the event? yes

PART C — BUSINESS OWNER INFORMATION

A list of all corporate officers or partners must be included. This list must include name, home address, and phone number.

Owner's Name: Reed Brasher Title: Owner
 Home Address: 1026 Sapphire Dr St George UT 84900
(Street Number) (City) (State) (Zip)
 Home Phone: 435 299 9877 Cell Phone: 435-299-9877

Please add any additional owners/partners on a separate piece of paper and attach.

APPLICATION MUST INCLUDE A DETAILED PLAN ON AN 8 1/2" X 11" SHEET OF PAPER
 SHOWING ALL CONTROL MEASURES.

STATE OF UTAH)

: ss.

COUNTY OF WASHINGTON)

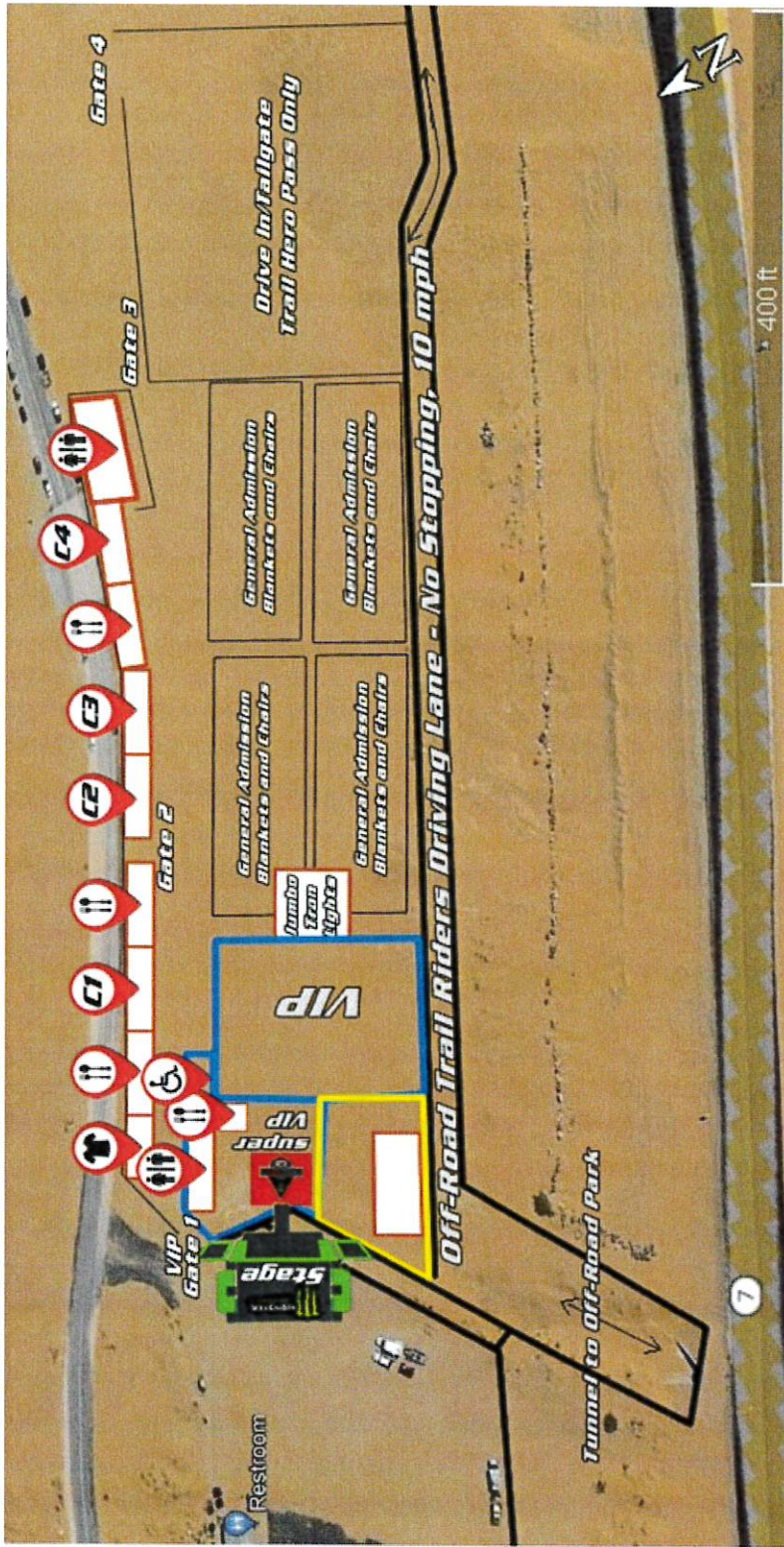
I, Rud Brash, being first duly sworn, depose and say as follows:

1. The foregoing Application and Questionnaire is in all respects true and correct, to the best of my knowledge and belief and
2. I am the applicant above-named and have not leased, assigned or entered into a profit-sharing arrangement of any type with any other person for operation of the above-named business except as disclosed herein; and
3. I have received and read the beer/alcoholic beverage license ordinance of the City of Hurricane, and believe that this application in all respects conforms to the requirements thereof and
4. I consent to the entry in or upon the business premises by City employees or representatives at reasonable times for the purpose of inspecting the event premises to insure compliance with applicable laws, ordinances, rules and regulation; and
5. I understand and agree that any false information contained in this application shall be grounds for denial of this application and shall constitute perjury.

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 20____

Applicant
(NOTARY PUBLIC OR CITY LICENSE
OFFICER)

TOTAL FEES \$	<u>300.00</u>	Office Use Only	AMOUNT PAID \$	<u>300.00</u>
DATE	<u>8/16/22</u>	RECEIPT #	<u>8-16/441</u>	
CITY LICENSE NUMBER: _____				
DATE APPLICATION WENT TO CITY COUNCIL: <u>8/18/22</u>				
DATE OF APPROVAL FROM STATE: _____				



same setup as Trail Hero event

Mayor
Nanette Billings

City Manager
Kaden C. DeMille



City Council
Joseph Prete
David Sanders
David Hirschi
Kevin Thomas
Doug Heideman

August 3, 2022

Staheli Real Estate Group
329 S Main
Hurricane, UT 84737

Mr. Staheli,

Based on the Planning Department's finding letter dated July 27, 2022, regarding multiple accessory dwelling units, we have no choice but to schedule a revocation hearing before the City Council.

Therefore, this notice is to inform you that a hearing before the City Council has been scheduled for Thursday, August 18, 2022, at 6:00 pm, or as soon thereafter as the matter can be heard, during the regular City Council meeting. The hearing will be held at the City Office located at 147 North 870 West, Hurricane. You have the right to appear at this hearing, to be represented by counsel, to hear the evidence against you, to cross examine witnesses, and to present evidence as to why the license should not be revoked.

We look forward to working with you to amicably resolve the matter outlined in this letter. If you have any questions or concerns, please do not hesitate to contact me at 435-635-2811 x106.

Sincerely,

Cindy Beteag
City Recorder

Cc: Dayton Hall, City Attorney

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

OFFICIAL USE

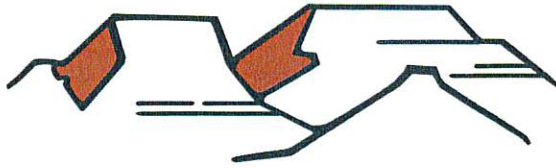
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$7.82

Postmark Here

Sent To: Staheli Real Estate
Street, Apt. No., or PO Box No. 8/3/22
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7008 0150 0000 0570 9002 ES2C T2T0 E000 0121 3753



PLANNING & ZONING HURRICANE CITY UTAH

Stephen Nelson, Planning Director
Fred Resch, Assistant Planner/Code Enforcement
Brienna Spencer, Planning Technician

July 27, 2022

Staheli Real Estate Group
329 S Main
Hurricane, UT 84737

Re: Renewal Pending

Mr. Staheli,

This letter is to inform you of the Planning Department's findings after the site inspection of your residential hosting license request. This letter is also being sent to the City Recorder's Office. This inspection was requested after a note from fire's inspection which stated: *"Where each bedroom can be rented out as a separate rental, and they are not interconnected as they would be in a traditional house"*. Hurricane City ordinance 10-41-4 states only one accessory dwelling unit (ADU) may be used as a short-term rental.

Property: 329 S Main St
Parcel Number: H-11-C-2

Timeline:

1. The City first issued a business license for the property in July of 2019 for a single room residential hosting business license. At this time, City staff inspected the site for a single bedroom that was inside the home.
2. Sometime between 2018 and 2020 the owner built on to the car port and added two ADU apartments. No building permit application was submitted to the City for these units and the City was unaware of the expansion.
3. In March of 2021 the property owner applied and received a business license for a two-room residential hosting business license.
4. The property owner changed and a new business license was issued in July 2021 for a two-room residential hosting business license.
5. The current owner sought to renew the license, which requires a fire inspection. Fire inspected the property on July 5, 2022 and noted that each unit can be "rented out as separate rental, and they are not interconnected as they would be in a traditional house."
6. The City Recorder issued a letter on July 13, 2022, stating that the City could not issue a business license for a three-room residential hosting license until an inspection had been done by the Planning Department to ensure compliance with Hurricane City ADU code.
7. The Planning Director inspected the property on July 19, 2022.

Hurricane City Code

Hurricane City allows a property owner to rent out up to four guestrooms:

Sec. 10-51-4. - Development standards; home bed and breakfast and residential hosting facilities.

B. Guestrooms. Rentable guestrooms shall be limited to not more than four bedrooms in the primary building or four bedrooms in the entirety of a detached ADU for each home bed and breakfast or residential hosting facility. Total number of occupants, including an owner, owner's family, and guests occupying the home at one time shall be no more than ten. Maximum occupancy must be posted in each rentable guestroom.

Hurricane City Code also limits the number of Accessory Dwelling Units (ADU) to one for lots under .8 acres:

Sec. 10-41-4. - Development standards; permitted use.

D. Limit. Generally, only one accessory dwelling unit and/or casita shall be established on one residential property. However, two accessory dwelling units may be allowed by a conditional use permit pursuant to [section 10-7-9](#).

and

I. Residential hosting. One detached accessory dwelling unit may be used per residential lot for residential hosting pursuant to the terms of licensing for residential hosting.

An ADU, guesthouse, or casita are defined in Hurricane City Code as follows:

Sec. 10-3-4. - Definitions of words and phrases.

Accessory dwelling unit means a subordinate residential dwelling unit with a separate entrance, kitchen, and full bathroom facilities that is attached to or detached from a single-family structure. All accessory dwelling units must meet the requirements of [chapter 41](#) of this title.

and

Guesthouse or casita means a secondary dwelling unit, without kitchen facilities, located on a lot with one main dwelling unit which is:

A. Used for housing of guests without compensation;

B. Not sold separately from the sale of the main dwelling unit on the lot and encumbered by a recorded agreement which provides notice of this condition;

C. May be rented or leased pursuant to a license or permit to allow such use; and

D. Is served by the same utility connections as the main dwelling unit.

To summarize, Hurricane City code allows for the short-term rental of a single ADU as part of Hurricane City Code 10-3, 10-41, and 10-51. Based on the definition, if a room/dwelling unit has a separate entrance, kitchen, and full bathroom facilities, and is intended to be used as its own unit, then it is considered an ADU. The applicant has a building, connected by the carport, that contains three, self-contained, separated ADUs. This is not a compliant use within the zoning code.

Hurricane City also requires a building permit for any new construction compliant with International and Residential Building Code. Hurricane City does not have any record of any building permit application for any improvements to the home or property. As shown in the picture below, there was an addition added between 2018 and 2020.

Sec. 10-9-5. - Types of violations.

It shall be unlawful for any person to violate any provision of this title, cause the violation of any provision of this title, or fail or refuse to do some act required under this title, including any of the following acts:

- A. Development or use without permit. To engage in any development, use, construction, remodeling, or other activity of any nature upon the land and improvements thereon subject to the jurisdiction of the City without all of the required permits, approvals, certificates, and other forms of authorization required by this title or other City ordinance in order to conduct or engage in such activity.*



2018



2020

Findings

1. The City has issued a business license for residential hosting for two-room residential hosting since March 2021.
2. The applicant has requested three-room residential hosting business license
3. Upon inspection, the Planning Department has found that the property contains three ADUs
4. The City has not issued a building permit for any new structures, remodel, plumbing, or electric improvements for the property. The addition on the building appears to have happened between 2018 and 2020 based on arial imagery.
5. There is no record of any approval for expansion of the third ADU. The property owner never applied for a building permit for the addition.
6. The Business License issued for two-room residential hosting does not comply with Hurricane City Code 10-3, 10-41, or 10-51.

Revocation or Denial of License

Planning staff recommends denying the current business license application based on the findings listed within this letter, namely 1) the application is in violation of the City's code of number of ADUs, and 2) none of the referenced improvements received a building permit.

The denial process is listed in Hurricane City Code 3-1-9 and is coordinated by the City Recorder.

Stephen Nelson

Stephen Nelson, AICP
Hurricane City Planning Director

Other Pictures





Mayor
Nanette Billings

City Manager
Kaden C. DeMille



City Council
Joseph Prete
David Sanders
David Hirschi
Kevin Thomas
Doug Heideman

July 13, 2022

Staheli Real Estate Group
329 S Main
Hurricane, UT 84737

Re: Renewal Pending

Mr. Staheli,

While processing your renewal for your residential hosting license, I noticed the fire inspection for your location states "Where each bedroom can be rented out as a separate rental, and they are not interconnected as they would be in a traditional house". Hurricane City ordinance 10-41-4 states only one accessory dwelling unit (ADU) may be used as a short-term rental.

Based on that information we can not issue a license for a three-room residential hosting license until an inspection has been done by our Planning Department to ensure that more than one ADU is not being used as a short-term rental. To schedule this inspection, please contact Stephen Nelson at 435-635-2811 x 118.

If you have any questions regarding the licensing process, please feel free to contact the Business License Office at 435-635-2811 x106.

Sincerely,

Cindy Beteag

Cindy Beteag
City Recorder

CC: Planning Director Stephen Nelson
City Attorney Dayton Hall

Hurricane City
147 N 870 W
HURRICANE UT 84737
435-635-2811

RENEWAL NOTICE

06/01/2022

PAID
7.697054
7.722

STAHOLI REAL ESTATE GROUP
329 S MAIN
HURRICANE UT 84737

Please review the information below to verify that it is correct. Update any incorrect contact information by noting changes to the right of the information you are adding to or changing. Contact the Business Licensing Clerk if you need to change the business name, address, owner, or activity. Sign and return the application with the appropriate license fee(s). If you prefer to email it back, send it to cindy@cityofhurricane.com and then call with the payment. PLEASE DO NOT PAY VIA XPRESS BILL PAY. If you are no longer doing business, you must check the appropriate box, sign and return so we can update our system with the correct information.

Account #:9903

Business Name: STAHOLI REAL ESTATE GROUP

DBA:

Address: 329 S MAIN

Mailing Address: 329 S MAIN

HURRICANE UT 84737

Phone: 435-668-4321

Sales Tax ID #: AIRBNB

Federal Tax ID#:

Professional License #:

Email Address:

Website:

Owner Name: MICHAEL STAHOLI

Owner Phone: 435-668-4321

Manager Name:

Manager Phone:

License #: 9903

License Description: 3 ROOM RESIDENTIAL HOSTING

Fee: 50.00

Due 45 days from date of notice. Late fees will be assessed!

I have read the above, and declare under penalty of perjury that each and every statement made is true, correct and complete.

Michael Staholi

Authorized Signature

7/07/22

Date

PLEASE CALL 435-635-9562 TO
SCHEDULE YOUR ANNUAL INSPECTION
BEFORE YOUR CURRENT LICENSE
EXPIRES

No longer operating business in Hurricane City

☐

Authorized Signature

Date

Hurricane Valley Fire Spec. Serv. Dist.



Occupancy: **Michael Staheli**

Occupancy ID: **MS3293**

Address: **329 S Main Apt/Suite #Unit 3**

Hurricane UT 84737

Inspection Type: **Vacation Rental**

Inspection Date: **7/5/2022**

By: Barlow, Kevin J (5929)

Time In: **10:30**

Time Out: **10:45**

Form: Fire Safety Business
Inspection

Authorized Date: **07/05/2022**

By: Barlow, Kevin J (5929)

Next Inspection Date: **No Inspection Scheduled**

Inspection Description:

Fire Safety Business Inspection

Inspection Topics:

Fire Alarm/Escape

Off site monitoring tested for compliance

Off site monitoring tested for compliance

Status:

Notes:

Fire alarm working with no trouble lights

No Trouble lights

Status:

Notes:

Fire escape plans and practice records

Fire escape plans and practice records

Status:

Notes:

Exits

Provide exit signs with letters at least 6" high on a contrasting background (Glow or Illuminated)

Ex

Status:

Notes:

Repair or maintain exit doors and hardware to operate properly.

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status:

Notes:

Remove obstructions from exits, aisles, corridors, and stairways.

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status:

Notes:

Remove storage from beneath exit stairs.

Items stored beneath stairs present a fire risk that can endanger persons using that escape route.

Status:

Notes:

Unlock all exit doors during business hours.

Locked exit doors make it impossible for occupants to escape safely and quickly.

Status:

Notes:

Remove unapproved locks or latches from exit doors.

Exit doors must be free to open without delay in the event of an emergency.

Status:

Notes:

Exterior Building

Building Address

An address needs to be visible on the building

Status:

Notes:

Hydrant located 250' or less from building.

A hydrant needs to be within 250' from the building.

Status:

Notes:

Exit Lighting

Provide lighting for exits, aisles, corridors, and stairways.

Well lighted exit ways prevent panic, and provide safer egress for occupants.

Status:

Notes:

Fire Extinguishers

Mount extinguishers where readily available, not more than 5 feet above floor.

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status:

Notes:

Post signs indicating location where extinguishers are not readily visible.

Where extinguishers are not clearly visible, signs help occupants find the equipment in a hurry.

Status:

Notes:

Portable fire extinguishers are due for annual maintenance on:

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status:

Notes:

Provide X extinguisher(s) of a X minimum rating.

Extinguishers provided need to be appropriate to the type of hazard.

Status:

Notes:

Fire Protection Access and Equipment

Maintain clear access to and operation of standpipes, fire hose, sprinkler valves, fire hydrants, fire extinguishers, and other fire protection equipment

Access

Status:

Notes:

Install approved protective covers on fire department hose connection.

Protective covers must be installed on the supply connection to prevent accumulations of debris that might inhibit the system's effectiveness.

Status:

Notes:

Provide and maintain smoke detectors in proper operating condition.

The proper installation and maintenance of smoke detectors is of the utmost importance. In the event of a fire, they will notify occupants, and, in some cases, may automatically notify the Fire Department.

Status:

Notes:

Provide minimum 4 inches high address numbers so they are visible from the street.

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status:

Notes:

Remove obstructions and provide access in fire lanes.

Large fire apparatus need room to effectively maneuver in the event of an emergency.

Status:

Notes:

Fire Separations

Keep attic and scuttle covers closed, and ceiling tiles in place.

Ceilings are an integral part of the building's fire protection. If kept in place, the ceiling will protect roof structures from premature collapse.

Status:

Notes:

Remove obstructions from fire doors and maintain to operate properly.

Fire and smoke doors should not be blocked open or obstructed or fire and smoke will easily travel through the opening and cause excessive risk to life and property.

Status:

Notes:

Seal unapproved openings with approved material.

Flame, smoke, and hot gases can easily travel through holes and pipe chases, thus creating more damage and a hazard to occupants.

Status:

Notes:

Housekeeping

Remove storage to at least 18" below level of sprinklers, 24" unsprinklered (36" for storage piled over 12' high)
height of storage

Status:

Notes:

Remove or store rubbish, waste material, oily rags in closed metal containers.

Safety containers for oily and greasy rags are designed to prevent spontaneous ignition of their contents. Other highly flammable wastes must be separated from sources of ignition.

Status:

Notes:

Clean grease filters and hood/duct system over cooking equipment.

Regular cleaning of the hood, duct, and filters will eliminate flammable grease build-up and provide proper ventilation of hood through the exhaust outlet.

Status:

Notes:

Provide approved waste containers for combustible waste.

Heavy duty or metal containers are necessary to confine a fire in the receptacle to prevent it spreading to the building.

Status:

Notes:

Chain all compressed gas cylinders in an upright position and provide protective caps.

Compressed gas cylinders, empty or full, can take off like a rocket in any direction if they fail and rupture.

Status:

Notes:

Boiler, mechanical, and electrical panel rooms shall not be used for storage.

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status:

Notes:

Post and enforce 'No Smoking' signs.

'No Smoking' areas are designated because the use of smoking materials in those areas could cause a fire.

Status:

Notes:

Move the dumpster at least 5 feet from the building or overhangs.

Dumpsters are a common fire target of vandals. Moving the dumpster away will reduce the risk of a fire spreading to the building.

Status:

Notes:

Flammable Liquids

Storage in excess of 10 gallons shall be in an approved cabinet.

In the event of a fire, flammable liquids can readily accelerate its spread. Confining the stored liquids to secure cabinets will limit this fire exposure.

Status:

Notes:

Electrical						
Discontinue use of extension cords in lieu of permanent wiring. Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system. Status: Notes:						
Maintain at least 30 inches clearance in front of electrical panel. Access to electrical panels must be cleared to allow for general inspection and emergency shutdown. Status: Notes:						
Each outlet box shall have a cover faceplate or fixture canopy. Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits. Status: Notes:						
Discontinue use of non-approved multi-plug adapters. Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire. Status: Notes:						
Maintain wiring in good condition and protect from damage. Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire. Status: Notes:						
Additional Time Spent on Inspection: <table border="1"> <thead> <tr> <th>Category</th> <th>Start Date / Time</th> <th>End Date / Time</th> </tr> </thead> <tbody> <tr> <td colspan="3"> Notes: No Additional time recorded </td> </tr> </tbody> </table>	Category	Start Date / Time	End Date / Time	Notes: No Additional time recorded		
Category	Start Date / Time	End Date / Time				
Notes: No Additional time recorded						

Total Additional Time: 0 minutes

Inspection Time: 15 minutes

Total Time: 15 minutes

Summary:
Overall Result: Passed with Comments Water heater requires seismic straps on the upper 1/3 and lower 1/3. Maintain monthly test log of all smoke/CO detectors as well as at least annual battery replacement. Fire extinguishers require annual service inspection tag or purchase receipt to verify it is in current date compliance. Inspector Notes: Where each bedroom can be rented out as a separate rental and they are not interconnected as they would be in a traditional house each unit requires it's own fire extinguisher mounted in a conspicuous, easily accessible location not more than 5 feet from the floor to the top of the extinguisher.

Hurricane Valley Fire Spec. Serv. Dist.



Occupancy: **Michael Staheli**
Occupancy ID: **MS3292**
Address: **329 S Main Apt/Suite #Unit 2**
Hurricane UT 84737

Inspection Type: **Vacation Rental**

Inspection Date: **7/5/2022** By: Barlow, Kevin J (5929)

Time In: **10:15** Time Out: **10:30**

Authorized Date: **07/05/2022** By: Barlow, Kevin J (5929)

Next Inspection Date: **No Inspection Scheduled**

Form: Fire Safety Business
Inspection

Inspection Description:

Fire Safety Business Inspection

Inspection Topics:

Fire Alarm/Escape

Off site monitoring tested for compliance

Off site monitoring tested for compliance

Status:

Notes:

Fire alarm working with no trouble lights

No Trouble lights

Status:

Notes:

Fire escape plans and practice records

Fire escape plans and practice records

Status:

Notes:

Exits

Provide exit signs with letters at least 6" high on a contrasting background (Glow or Illuminated)

Ex

Status:

Notes:

Repair or maintain exit doors and hardware to operate properly.

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status:

Notes:

Remove obstructions from exits, aisles, corridors, and stairways.

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status:

Notes:

Remove storage from beneath exit stairs.

Items stored beneath stairs present a fire risk that can endanger persons using that escape route.

Status:

Notes:

Unlock all exit doors during business hours.

Locked exit doors make it impossible for occupants to escape safely and quickly.

Status:

Notes:

Remove unapproved locks or latches from exit doors.

Exit doors must be free to open without delay in the event of an emergency.

Status:

Notes:

Exterior Building

Building Address

An address needs to be visible on the building

Status:

Notes:

Hydrant located 250' or less from building.

A hydrant needs to be within 250' from the building.

Status:

Notes:

Exit Lighting

Provide lighting for exits, aisles, corridors, and stairways.

Well lighted exit ways prevent panic, and provide safer egress for occupants.

Status:

Notes:

Fire Extinguishers

Mount extinguishers where readily available, not more than 5 feet above floor.

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status:

Notes:

Post signs indicating location where extinguishers are not readily visible.

Where extinguishers are not clearly visible, signs help occupants find the equipment in a hurry.

Status:

Notes:

Portable fire extinguishers are due for annual maintenance on:

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status:

Notes:

Provide X extinguisher(s) of a X minimum rating.

Extinguishers provided need to be appropriate to the type of hazard.

Status:

Notes:

Fire Protection Access and Equipment

Maintain clear access to and operation of standpipes, fire hose, sprinkler valves, fire hydrants, fire extinguishers, and other fire protection equipment

Access

Status:

Notes:

Install approved protective covers on fire department hose connection.

Protective covers must be installed on the supply connection to prevent accumulations of debris that might inhibit the system's effectiveness.

Status:

Notes:

Provide and maintain smoke detectors in proper operating condition.

The proper installation and maintenance of smoke detectors is of the utmost importance. In the event of a fire, they will notify occupants, and, in some cases, may automatically notify the Fire Department.

Status:

Notes:

Provide minimum 4 inches high address numbers so they are visible from the street.

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status:

Notes:

Remove obstructions and provide access in fire lanes.

Large fire apparatus need room to effectively maneuver in the event of an emergency.

Status:

Notes:

Fire Separations

Keep attic and scuttle covers closed, and ceiling tiles in place.

Ceilings are an integral part of the building's fire protection. If kept in place, the ceiling will protect roof structures from premature collapse.

Status:

Notes:

Remove obstructions from fire doors and maintain to operate properly.

Fire and smoke doors should not be blocked open or obstructed or fire and smoke will easily travel through the opening and cause excessive risk to life and property.

Status:

Notes:

Seal unapproved openings with approved material.

Flame, smoke, and hot gases can easily travel through holes and pipe chases, thus creating more damage and a hazard to occupants.

Status:

Notes:

Housekeeping

Remove storage to at least 18" below level of sprinklers, 24" unsprinklered (36" for storage piled over 12 ' high)
height of storage

Status:

Notes:

Remove or store rubbish, waste material, oily rags in closed metal containers.

Safety containers for oily and greasy rags are designed to prevent spontaneous ignition of their contents. Other highly flammable wastes must be separated from sources of ignition.

Status:

Notes:

Clean grease filters and hood/duct system over cooking equipment.

Regular cleaning of the hood, duct, and filters will eliminate flammable grease build-up and provide proper ventilation of head through the exhaust outlet.

Status:

Notes:

Provide approved waste containers for combustible waste.

Heavy duty or metal containers are necessary to confine a fire in the receptacle to prevent it spreading to the building.

Status:

Notes:

Chain all compressed gas cylinders in an upright position and provide protective caps.

Compressed gas cylinders, empty or full, can take off like a rocket in any direction if they fail and rupture.

Status:

Notes:

Boiler, mechanical, and electrical panel rooms shall not be used for storage.

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status:

Notes:

Post and enforce 'No Smoking' signs.

'No Smoking' areas are designated because the use of smoking materials in those areas could cause a fire.

Status:

Notes:

Move the dumpster at least 5 feet from the building or overhangs.

Dumpsters are a common fire target of vandals. Moving the dumpster away will reduce the risk of a fire spreading to the building.

Status:

Notes:

Flammable Liquids

Storage in excess of 10 gallons shall be in an approved cabinet.

In the event of a fire, flammable liquids can readily accelerate its spread. Confining the stored liquids to secure cabinets will limit this fire exposure.

Status:

Notes:

Electrical

Discontinue use of extension cords in lieu of permanent wiring.

Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system.

Status:

Notes:

Maintain at least 30 inches clearance in front of electrical panel.

Access to electrical panels must be cleared to allow for general inspection and emergency shutdown.

Status:

Notes:

Each outlet box shall have a cover faceplate or fixture canopy.

Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits.

Status:

Notes:

Discontinue use of non-approved multi-plug adapters.

Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire.

Status:

Notes:

Maintain wiring in good condition and protect from damage.

Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire.

Status:

Notes:

Additional Time Spent on Inspection:

Category

Start Date / Time

End Date / Time

Notes: No Additional time recorded

Total Additional Time: 0 minutes

Inspection Time: 15 minutes

Total Time: 15 minutes

Summary:

Overall Result: Passed with Comments

Water heater requires seismic straps on the upper 1/3 and lower 1/3.

Maintain monthly test log of all smoke/CO detectors as well as at least annual battery replacement.

Inspector Notes: Fire extinguishers require annual service inspection tag or purchase receipt to verify it is in current date compliance.

Where each bedroom can be rented out as a separate rental and they are not interconnected as they would be in a traditional house each unit requires it's own fire extinguisher mounted in a conspicuous, easily accessible location not more than 5 feet from the floor to the top of the extinguisher.

Hurricane Valley Fire Spec. Serv. Dist.



Occupancy: **Michael Staheli**
Occupancy ID: **MS329**
Address: **329 S Main Apt/Suite #Unit 1**
Hurricane UT 84737

Inspection Type: **Annual**

Inspection Date: **3/24/2021**

By: Gildea, Kevin J (5743)

Time In: **14:33**

Time Out: **14:50**

Authorized Date: **04/05/2021**

By: Gildea, Kevin J (5743)

Next Inspection Date: **No Inspection Scheduled**

Form: Fire Safety Business
Inspection

Inspection Description:

Fire Safety Business Inspection

Inspection Topics:

Fire Alarm/Escape

Off site monitoring tested for compliance

Off site monitoring tested for compliance

Status:

Notes:

Fire alarm working with no trouble lights

No Trouble lights

Status:

Notes:

Fire escape plans and practice records

Fire escape plans and practice records

Status:

Notes:

Exits

Provide exit signs with letters at least 6" high on a contrasting background (Glow or Illuminated)

Ex

Status:

Notes:

Repair or maintain exit doors and hardware to operate properly.

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status:

Notes:

Remove obstructions from exits, aisles, corridors, and stairways.

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status:

Notes:

Remove storage from beneath exit stairs.

Items stored beneath stairs present a fire risk that can endanger persons using that escape route.

Status:

Notes:

Unlock all exit doors during business hours.

Locked exit doors make it impossible for occupants to escape safely and quickly.

Status:

Notes:

Remove unapproved locks or latches from exit doors.

Exit doors must be free to open without delay in the event of an emergency.

Status:

Notes:

Exterior Building

Building Address

An address needs to be visible on the building

Status:

Notes:

Hydrant located 250' or less from building.

A hydrant needs to be within 250' from the building.

Status:

Notes:

Exit Lighting

Provide lighting for exits, aisles, corridors, and stairways.

Well lighted exit ways prevent panic, and provide safer egress for occupants.

Status:

Notes:

Fire Extinguishers

Mount extinguishers where readily available, not more than 5 feet above floor.

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status:

Notes:

Post signs indicating location where extinguishers are not readily visible.

Where extinguishers are not clearly visible, signs help occupants find the equipment in a hurry.

Status:

Notes:

Portable fire extinguishers are due for annual maintenance on:

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status:

Notes:

Provide X extinguisher(s) of a X minimum rating.

Extinguishers provided need to be appropriate to the type of hazard.

Status:

Notes:

Fire Protection Access and Equipment

Maintain clear access to and operation of standpipes, fire hose, sprinkler valves, fire hydrants, fire extinguishers, and other fire protection equipment

Access

Status:

Notes:

Install approved protective covers on fire department hose connection.

Protective covers must be installed on the supply connection to prevent accumulations of debris that might inhibit the system's effectiveness.

Status:

Notes:

Provide and maintain smoke detectors in proper operating condition.

The proper installation and maintenance of smoke detectors is of the utmost importance. In the event of a fire, they will notify occupants, and, in some cases, may automatically notify the Fire Department.

Status:

Notes:

Provide minimum 4 inches high address numbers so they are visible from the street.

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status:

Notes:

Remove obstructions and provide access in fire lanes.

Large fire apparatus need room to effectively maneuver in the event of an emergency.

Status:

Notes:

Fire Separations

Keep attic and scuttle covers closed, and ceiling tiles in place.

Ceilings are an integral part of the building's fire protection. If kept in place, the ceiling will protect roof structures from premature collapse.

Status:

Notes:

Remove obstructions from fire doors and maintain to operate properly.

Fire and smoke doors should not be blocked open or obstructed or fire and smoke will easily travel through the opening and cause excessive risk to life and property.

Status:

Notes:

Seal unapproved openings with approved material.

Flame, smoke, and hot gases can easily travel through holes and pipe chases, thus creating more damage and a hazard to occupants.

Status:

Notes:

Housekeeping

Remove storage to at least 18" below level of sprinklers, 24" unsprinklered (36" for storage piled over 12 ' high)
height of storage

Status:

Notes:

Remove or store rubbish, waste material, oily rags in closed metal containers.

Safety containers for oily and greasy rags are designed to prevent spontaneous ignition of their contents. Other highly flammable wastes must be separated from sources of ignition.

Status:

Notes:

Clean grease filters and hood/duct system over cooking equipment.

Regular cleaning of the hood, duct, and filters will eliminate flammable grease build-up and provide proper ventilation of head through the exhaust outlet.

Status:

Notes:

Provide approved waste containers for combustible waste.

Heavy duty or metal containers are necessary to confine a fire in the receptacle to prevent it spreading to the building.

Status:

Notes:

Chain all compressed gas cylinders in an upright position and provide protective caps.

Compressed gas cylinders, empty or full, can take off like a rocket in any direction if they fail and rupture.

Status:

Notes:

Boiler, mechanical, and electrical panel rooms shall not be used for storage.

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status:

Notes:

Post and enforce 'No Smoking' signs.

'No Smoking' areas are designated because the use of smoking materials in those areas could cause a fire.

Status:

Notes:

Move the dumpster at least 5 feet from the building or overhangs.

Dumpsters are a common fire target of vandals. Moving the dumpster away will reduce the risk of a fire spreading to the building.

Status:

Notes:

Flammable Liquids

Storage in excess of 10 gallons shall be in an approved cabinet.

In the event of a fire, flammable liquids can readily accelerate its spread. Confining the stored liquids to secure cabinets will limit this fire exposure.

Status:

Notes:

Electrical

Discontinue use of extension cords in lieu of permanent wiring.

Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system.

Status:

Notes:

Maintain at least 30 inches clearance in front of electrical panel.

Access to electrical panels must be cleared to allow for general inspection and emergency shutdown.

Status:

Notes:

Each outlet box shall have a cover faceplate or fixture canopy.

Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits.

Status:

Notes:

Discontinue use of non-approved multi-plug adapters.

Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire.

Status:

Notes:

Maintain wiring in good condition and protect from damage.

Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire.

Status:

Notes:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
Notes: No Additional time recorded		

Total Additional Time: 0 minutes

Inspection Time: 17 minutes

Total Time: 17 minutes

Summary:

Overall Result: Passed with Comments

Inspector Notes: Short term rental for ten or less guests only. Partial home only. All required items present.

Hurricane Valley Fire Spec. Serv. Dist.



Occupancy: **Michael Staheli**
Occupancy ID: **MS329**
Address: **329 S Main Apt/Suite #Unit 1**
Hurricane UT 84737

Inspection Type: **Annual**

Inspection Date: **6/23/2021**

By: **Gildea, Kevin J (5743)**

Time In: **11:12**

Time Out: **11:28**

Authorized Date: **Not Authorized** By:

Next Inspection Date: **No Inspection Scheduled**

Form: Fire Safety Business
Inspection

Inspection Description:

Fire Safety Business Inspection

Inspection Topics:

Fire Alarm/Escape

Off site monitoring tested for compliance

Off site monitoring tested for compliance

Status:

Notes:

Fire alarm working with no trouble lights

No Trouble lights

Status:

Notes:

Fire escape plans and practice records

Fire escape plans and practice records

Status:

Notes:

Exits

Provide exit signs with letters at least 6" high on a contrasting background (Glow or Illuminated)

Ex

Status:

Notes:

Repair or maintain exit doors and hardware to operate properly.

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status:

Notes:

Remove obstructions from exits, aisles, corridors, and stairways.

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status:

Notes:

Remove storage from beneath exit stairs.

Items stored beneath stairs present a fire risk that can endanger persons using that escape route.

Status:

Notes:

Unlock all exit doors during business hours.

Locked exit doors make it impossible for occupants to escape safely and quickly.

Status:

Notes:

Remove unapproved locks or latches from exit doors.

Exit doors must be free to open without delay in the event of an emergency.

Status:

Notes:

Exterior Building

Building Address

An address needs to be visible on the building

Status:

Notes:

Hydrant located 250' or less from building.

A hydrant needs to be within 250' from the building.

Status:

Notes:

Exit Lighting

Provide lighting for exits, aisles, corridors, and stairways.

Well lighted exit ways prevent panic, and provide safer egress for occupants.

Status:

Notes:

Fire Extinguishers

Mount extinguishers where readily available, not more than 5 feet above floor.

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status:

Notes:

Post signs indicating location where extinguishers are not readily visible.

Where extinguishers are not clearly visible, signs help occupants find the equipment in a hurry.

Status:

Notes:

Portable fire extinguishers are due for annual maintenance on:

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status:

Notes:

Provide X extinguisher(s) of a X minimum rating.

Extinguishers provided need to be appropriate to the type of hazard.

Status:

Notes:

Fire Protection Access and Equipment

Maintain clear access to and operation of standpipes, fire hose, sprinkler valves, fire hydrants, fire extinguishers, and other fire protection equipment

Access

Status:

Notes:

Install approved protective covers on fire department hose connection.

Protective covers must be installed on the supply connection to prevent accumulations of debris that might inhibit the system's effectiveness.

Status:

Notes:

Provide and maintain smoke detectors in proper operating condition.

The proper installation and maintenance of smoke detectors is of the utmost importance. In the event of a fire, they will notify occupants, and, in some cases, may automatically notify the Fire Department.

Status:

Notes:

Provide minimum 4 inches high address numbers so they are visible from the street.

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status:

Notes:

Remove obstructions and provide access in fire lanes.

Large fire apparatus need room to effectively maneuver in the event of an emergency.

Status:

Notes:

Fire Separations

Keep attic and scuttle covers closed, and ceiling tiles in place.

Ceilings are an integral part of the building's fire protection. If kept in place, the ceiling will protect roof structures from premature collapse.

Status:

Notes:

Remove obstructions from fire doors and maintain to operate properly.

Fire and smoke doors should not be blocked open or obstructed or fire and smoke will easily travel through the opening and cause excessive risk to life and property.

Status:

Notes:

Seal unapproved openings with approved material.

Flame, smoke, and hot gases can easily travel through holes and pipe chases, thus creating more damage and a hazard to occupants.

Status:

Notes:

Housekeeping

Remove storage to at least 18" below level of sprinklers, 24" unsprinklered (36" for storage piled over 12 ' high)
height of storage

Status:

Notes:

Remove or store rubbish, waste material, oily rags in closed metal containers.

Safety containers for oily and greasy rags are designed to prevent spontaneous ignition of their contents. Other highly flammable wastes must be separated from sources of ignition.

Status:

Notes:

Clean grease filters and hood/duct system over cooking equipment.

Regular cleaning of the hood, duct, and filters will eliminate flammable grease build-up and provide proper ventilation of head through the exhaust outlet.

Status:

Notes:

Provide approved waste containers for combustible waste.

Heavy duty or metal containers are necessary to confine a fire in the receptacle to prevent it spreading to the building.

Status:

Notes:

Chain all compressed gas cylinders in an upright position and provide protective caps.

Compressed gas cylinders, empty or full, can take off like a rocket in any direction if they fail and rupture.

Status:

Notes:

Boiler, mechanical, and electrical panel rooms shall not be used for storage.

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status:

Notes:

Post and enforce 'No Smoking' signs.

'No Smoking' areas are designated because the use of smoking materials in those areas could cause a fire.

Status:

Notes:

Move the dumpster at least 5 feet from the building or overhangs.

Dumpsters are a common fire target of vandals. Moving the dumpster away will reduce the risk of a fire spreading to the building.

Status:

Notes:

Flammable Liquids

Storage in excess of 10 gallons shall be in an approved cabinet.

In the event of a fire, flammable liquids can readily accelerate its spread. Confining the stored liquids to secure cabinets will limit this fire exposure.

Status:

Notes:

Electrical

Discontinue use of extension cords in lieu of permanent wiring.

Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system.

Status:

Notes:

Maintain at least 30 inches clearance in front of electrical panel.

Access to electrical panels must be cleared to allow for general inspection and emergency shutdown.

Status:

Notes:

Each outlet box shall have a cover faceplate or fixture canopy.

Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits.

Status:

Notes:

Discontinue use of non-approved multi-plug adapters.

Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire.

Status:

Notes:

Maintain wiring in good condition and protect from damage.

Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire.

Status:

Notes:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
Notes: No Additional time recorded		

Total Additional Time: 0 minutes

Inspection Time: 16 minutes

Total Time: 16 minutes

Summary:

Overall Result: Fail

Inspector Notes: Two units behind main house. For ten or less guests only. Update exit map. Provide minimum 2A10BC fire extinguisher. Fire extinguisher must be new of have current inspection tag.



Date of Application

7/9/21

License Fee \$50.00
Application Fee \$25.00
Total Due \$75.00147 N 870 WEST, HURRICANE, UTAH 84737
PHONE: 435-635-2811 FAX: 435-635-2184
www.cityofhurricane.com**◆ BUSINESS LICENSE APPLICATION HOME BED AND BREAKFAST OR RESIDENTIAL HOSTING ◆**

NOTICE: Please complete each statement below. Incomplete applications will not be accepted.

SECTION A — BUSINESS INFORMATION

Name of Business: Stahel Rentals Real Estate Group
Business Phone: 435-668-4321 Fax Number: _____
Business Address: 329 S Main, Hurricane 84737
Mailing Address (if different): _____
State Sales Tax Number (if applicable): Airbnb Dept. of Commerce Entity #: 10601717-0160
Professional License # (if applicable): _____ Federal Identification #: _____
Website: _____ E-Mail Address: _____
Description of Business: _____
Business Type (check one): Proprietorship ☐ Partnership ☐ Corporation ☐

PART B — Residential Hosting or Home Bed and Breakfast Questionnaire

- Number of parking spaces for owner 2 Number of guest parking spaces 3 Number of permanent residents 4
DIAGRAM OR PHOTOGRAPH OF PARKING FACILITIES MUST BE INCLUDED!
• Total number of guest rooms 2
• Smoke and CO₂ detectors in each guest room? ☒ Yes ☐ No
• Fire exiting route plan posted in each guest room? ☒ Yes ☐ No
• Landscaping completed? ☒ Yes ☐ No
• Will there be a sign on the property for the business? Yes ☒ No
• Size and location of sign (maximum allowed 1' X 2') _____

PART C — BUSINESS OWNER INFORMATION

If other than sole proprietor, a list of all corporate officers or partners must be included. This list must include name, home address, and phone number.

Owner's Name: Michael Stahel Title: Owner
Home Address: 329 S Main Hurricane UT 84737
(Street Number) (City) (State) (Zip)
Social Security Number: [REDACTED] Date of Birth: [REDACTED]
Home Phone: N/A Cell Phone: 435-668-4321

Please add any additional owners/partners on a separate piece of paper and attach.

► **This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual license will be issued only when all inspections are completed and signed off by the various City departments and approval is given by the Business License Office. To open and/or operate a business without final approval is a Class B Misdemeanor and punishable by law.**

LIST TWO RESPONSIBLE / AVAILABLE EMERGENCY CONTACTS:

Name: Yareli Stahel

Address: [REDACTED] Hurricane UT 84737

Phone: [REDACTED]

Name: Matt Stahel

Address: [REDACTED] Washington UT 84780

Phone: [REDACTED]

PART D — HURRICANE VALLEY FIRE DISTRICT

All businesses licensed in Hurricane City must be in compliance with applicable fire codes and regulations at all times. New businesses may be required to pass a fire inspection prior to issuance of a business license. Fire inspections encompass, but are not limited to: fire equipment such as extinguishers, exits and aisles, electrical equipment, storage, and fire protection systems. Inspections may include additional areas of concern specific to particular business activities and/or locations. The licensing clerk will inform new applicants whether an initial inspection is required.

☒ **Inspection Required. Contact the Fire Dept at 435-635-9562 to schedule a fire inspection.**

☐ **No Inspection required at this time.**

I understand that compliance with applicable fire codes and regulations is required for all businesses licensed in Hurricane City. I understand that a fire inspection of my business may be required in the future and would be conducted by Hurricane Valley Fire District personnel. I understand that failure to comply with applicable fire codes and regulations may be grounds for revocation of my business license.

Mike Stahel 7/9/21
Applicant's Signature Date

I REPRESENT, COVENANT AND AGREE: (a) that this home is my primary residence and will be occupied by me whenever guests are present, and that I will not rent rooms occupied by me or other family members who occupy the home as their primary residence, (b) to comply with all regulations of Title 3 Business License Regulations, (c) that business shall not commence or be conducted at this location until a business license has been issued by the City of Hurricane, (d) that an inspection must be completed and the building approved by the appropriate Building, Zoning, Fire and Health authorities prior to issuance of a business license, (e) that any misrepresentation contained herein or any violation of any of the foregoing shall constitute grounds for denial or revocation of a business license.

Mike Stahel 7/9/21
Applicant's Signature Date

TOTAL FEES	\$ <u>75.00</u>	Office Use Only	AMOUNT PAID \$ <u>75.00</u>
DATE	<u>7/9/21</u>	RECEIPT #	<u>7.678411</u>
CITY LICENSE NUMBER	<u>9903</u>		
Home Occupation: <u>yes</u> / no	Zone: <u>R-10</u>	Permitted Use: <u>yes</u> / no	
Planning Commission Approval Required: <u>yes</u> / no	If yes, which approval: <u>site plan / conditional use</u>		
Planning Commission approval date: <u>N/A</u>	Zoning approval/date: <u></u>		
New Construction: <u>yes</u> / no	Remodel: <u>yes</u> / no	Building Permit: <u>yes</u> / no	
Certificate of Occupancy or Tenant Improvement inspection required: <u>yes</u> / no			

Hurricane Valley Fire Spec. Serv. Dist.



Occupancy: **Michael Staheli**
Occupancy ID: **MS329**
Address: **329 S Main**
Hurricane UT 84737

Inspection Type: **Reinspection**

Inspection Date: **7/8/2021**

By: Gildea, Kevin J (5743)

Time In: **15:42**

Time Out: **15:50**

Authorized Date: **07/08/2021**

By: Gildea, Kevin J (5743)

Next Inspection Date: **No Inspection Scheduled**

Form: Fire Safety Business
Inspection

Inspection Description:

Fire Safety Business Inspection

Inspection Topics:

Fire Alarm/Escape

Off site monitoring tested for compliance

Off site monitoring tested for compliance

Status:

Notes:

Fire alarm working with no trouble lights

No Trouble lights

Status:

Notes:

Fire escape plans and practice records

Fire escape plans and practice records

Status:

Notes:

Exits

Provide exit signs with letters at least 6" high on a contrasting background (Glow or Illuminated)

Ex

Status:

Notes:

Repair or maintain exit doors and hardware to operate properly.

Well maintained exit doors and panic hardware provide safe and easy egress from a building.

Status:

Notes:

Remove obstructions from exits, aisles, corridors, and stairways.

Clear exit access is essential to prevent panic or accidental falling of occupants during evacuation.

Status:

Notes:

Remove storage from beneath exit stairs.

Items stored beneath stairs present a fire risk that can endanger persons using that escape route.

Status:

Notes:

Unlock all exit doors during business hours.

Locked exit doors make it impossible for occupants to escape safely and quickly.

Status:

Notes:

Remove unapproved locks or latches from exit doors.

Exit doors must be free to open without delay in the event of an emergency.

Status:

Notes:

Exterior Building

Building Address

An address needs to be visible on the building

Status:

Notes:

Hydrant located 250' or less from building.

A hydrant needs to be within 250' from the building.

Status:

Notes:

Exit Lighting

Provide lighting for exits, aisles, corridors, and stairways.

Well lighted exit ways prevent panic, and provide safer egress for occupants.

Status:

Notes:

Fire Extinguishers

Mount extinguishers where readily available, not more than 5 feet above floor.

Extinguishers must be easily within reach of all occupants, but not where they will be subject to damage.

Status:

Notes:

Post signs indicating location where extinguishers are not readily visible.

Where extinguishers are not clearly visible, signs help occupants find the equipment in a hurry.

Status:

Notes:

Portable fire extinguishers are due for annual maintenance on:

Annual maintenance will provide for properly charge and serviced extinguishing devices, and assure proper operation if needed to fight a small fire.

Status:

Notes:

Provide X extinguisher(s) of a X minimum rating.

Extinguishers provided need to be appropriate to the type of hazard.

Status:

Notes:

Fire Protection Access and Equipment

Maintain clear access to and operation of standpipes, fire hose, sprinkler valves, fire hydrants, fire extinguishers, and other fire protection equipment

Access

Status:

Notes:

Install approved protective covers on fire department hose connection.

Protective covers must be installed on the supply connection to prevent accumulations of debris that might inhibit the system's effectiveness.

Status:

Notes:

Provide and maintain smoke detectors in proper operating condition.

The proper installation and maintenance of smoke detectors is of the utmost importance. In the event of a fire, they will notify occupants, and, in some cases, may automatically notify the Fire Department.

Status:

Notes:

Provide minimum 4 inches high address numbers so they are visible from the street.

Address numbers are critical to help emergency personnel find people who may need some sort of aid. The numbers must contrast with their background for greatest visibility.

Status:

Notes:

Remove obstructions and provide access in fire lanes.

Large fire apparatus need room to effectively maneuver in the event of an emergency.

Status:

Notes:

Fire Separations

Keep attic and scuttle covers closed, and ceiling tiles in place.

Ceilings are an integral part of the building's fire protection. If kept in place, the ceiling will protect roof structures from premature collapse.

Status:

Notes:

Remove obstructions from fire doors and maintain to operate properly.

Fire and smoke doors should not be blocked open or obstructed or fire and smoke will easily travel through the opening and cause excessive risk to life and property.

Status:

Notes:

Seal unapproved openings with approved material.

Flame, smoke, and hot gases can easily travel through holes and pipe chases, thus creating more damage and a hazard to occupants.

Status:

Notes:

Housekeeping

Remove storage to at least 18" below level of sprinklers, 24" unsprinklered (36" for storage piled over 12' high)

height of storage

Status:

Notes:

Remove or store rubbish, waste material, oily rags in closed metal containers.

Safety containers for oily and greasy rags are designed to prevent spontaneous ignition of their contents. Other highly flammable wastes must be separated from sources of ignition.

Status:

Notes:

Clean grease filters and hood/duct system over cooking equipment.

Regular cleaning of the hood, duct, and filters will eliminate flammable grease build-up and provide proper ventilation of hood through the exhaust outlet.

Status:

Notes:

Provide approved waste containers for combustible waste.

Heavy duty or metal containers are necessary to confine a fire in the receptacle to prevent it spreading to the building.

Status:

Notes:

Chain all compressed gas cylinders in an upright position and provide protective caps.

Compressed gas cylinders, empty or full, can take off like a rocket in any direction if they fail and rupture.

Status:

Notes:

Boiler, mechanical, and electrical panel rooms shall not be used for storage.

Combustible materials in these equipment rooms often get put too close to sources of heat and a fire will likely result.

Status:

Notes:

Post and enforce 'No Smoking' signs.

'No Smoking' areas are designated because the use of smoking materials in those areas could cause a fire.

Status:

Notes:

Move the dumpster at least 5 feet from the building or overhangs.

Dumpsters are a common fire target of vandals. Moving the dumpster away will reduce the risk of a fire spreading to the building.

Status:

Notes:

Flammable Liquids

Storage in excess of 10 gallons shall be in an approved cabinet.

In the event of a fire, flammable liquids can readily accelerate its spread. Confining the stored liquids to secure cabinets will limit this fire exposure.

Status:

Notes:

Electrical

Discontinue use of extension cords in lieu of permanent wiring.

Temporary wire does not afford the durability, safety, and protection from shock or fire that is found in the construction of an enclosed electrical system.

Status:

Notes:

Maintain at least 30 inches clearance in front of electrical panel.

Access to electrical panels must be cleared to allow for general inspection and emergency shutdown.

Status:

Notes:

Each outlet box shall have a cover faceplate or fixture canopy.

Covers protect people from being shocked by exposed wires, prevent spread of electrical current, and heat and flame during short circuits.

Status:

Notes:

Discontinue use of non-approved multi-plug adapters.

Multi-plug adapters invite the overuse of the circuit that can result in overheating and a fire.

Status:

Notes:

Maintain wiring in good condition and protect from damage.

Worn or broken wires and plugs present a fire hazard and risk of electrical short circuit that can result in a fire.

Status:

Notes:

Additional Time Spent on Inspection:

Category	Start Date / Time	End Date / Time
Notes: No Additional time recorded		

Total Additional Time: 0 minutes

Inspection Time: 8 minutes

Total Time: 8 minutes

Summary:

Overall Result: Passed with Comments

Inspector Notes: fire extinguisher in place. Service and tag fire extinguisher every 12 months. Exit maps in place.





STAFF COMMENTS

Public Hearing to take comments on the following:

Discussion:

Findings:

Recommendation:

Attachments:

None



STAFF COMMENTS

An Agriculture Protection Overlay located approximately 1100 S 700 West parcels H-3-2-3-2416, H-3-2-3-2417, and H-3-2-3-2418

Discussion:

Findings:

Recommendation:

Attachments:

None

ORDINANCE NO 2022-44

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE
AGRICULTURAL PROTECTION OVERLAY ZONE FOR PARCEL H-3-2-3-2416, H-3-2-3-
2417, AND H-3-2-3-2418

WHEREAS, Utah Code 10-9a allows Cities to regulate land use within their boundaries;
and

WHEREAS, the land is currently being used for agricultural production and has plans to
be used for immediate agricultural production; and

WHEREAS, the land is currently zone for agricultural use as RA-1; and

WHEREAS, the property is viable for agricultural use; and

WHEREAS, the property exceeds five acres; and

WHEREAS, approving the use of this land for agriculture is consistent with current and
expected technological trends in agriculture; and

WHEREAS, the Hurricane City General Plan encourages the City to approve
Agricultural Protection Zones in appropriate areas; and

WHEREAS, the Hurricane Planning Commission gave a positive recommendation to
approve Parcel H-3-2-3-2416, H-3-2-3-2417, AND H-3-2-3-2418 excluding the areas needed for
the full cross-sections for the future 700 W right-of-way; and

WHEREAS, the City has a need to protect future roadway and utility corridors within the
City for continued growth.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT

1. The proposed Agricultural Protection Overlay Zone for Parcel H-3-2-3-2416, H-3-2-3-
2417, and H-3-2-3-2418 is approved excluding the area needed for 700 W cross-sections
including public utility easements.

PASSED AND APPROVED on this 18th day of August 2022.

Hurricane City

Mayor

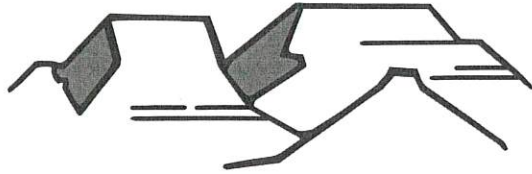
Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the ____ day of June 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
David Sanders	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Doug Heideman	_____	_____	_____	_____

Cindy Beteag, Recorder



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

AGRICULTURAL PROTECTION AREA APPLICATION

For Office Use Only:

File No. 2022-AP-04
Receipt No. _____

APPLICATION & SUBMITTAL CHECKLIST

Name: Ruth Reeve & Annie Reeve Telephone: (435) 773-3200
Address: 85 East 300 South Fax No. _____
Email: randy.reeve@washk12.org
Agent (If applicable): _____ Agent's Phone: _____
Agent email: _____
Address of Subject Property: _____
Tax ID of Subject Property: H-3-2-3-2416, H-3-2-3-2417, Zone District: RA-1
H-3-2-3-2418
Proposed Conditional Use: (Describe, use extra sheet if necessary) _____

To be included in an agriculture protection area established within Hurricane City land must consist of at least five (5) contiguous acres.

The application shall include:

1. The land in agriculture production that the proposal sponsors wish to become part of an agriculture protection area.

2. Any limits on the types of agriculture production to be allowed within the agriculture protection area: No

3. For each parcel of land: (a) The owners of the land contained within the parcel; (b) The tax parcel number or account number of each parcel; and (c) The number or account number of acres as listed on the parcel tax records.

Owners Name(s)	Tax Parcel #	# of acres
Ruth Reeve	H-3-2-3-2416	5
Ruth Reeve	H-3-2-3-2417	1
Annie Reeve	H-3-2-3-2418	1

In order for this to be a complete application, it shall include:

- (a) A plat from the county recorder's office showing each parcel of land with each outlined in color to identify proposed area.
- (b) Application fee, if any, as outlined on the city fee schedule, available from the city recorder/clerk.

In order to apply for agricultural protection, the area being proposed must be evaluated based upon. State Code 17-41-305, Criteria to be applied in evaluating proposals for the creation of agriculture protection areas.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area the advisory committee, planning commission, and county commission shall apply the following criteria:

1. Whether or not the land is currently being used for agriculture production.
2. Whether or not the land is zoned for agriculture use.
3. Whether or not the land is viable for agriculture production.
4. The extent and nature of existing or proposed farm improvements; and
5. Anticipated trends in agriculture and technological conditions.

*NOTE: the term agricultural production is defined by state law as follows:

State Code 17-41-101 Definitions

"Agriculture production" means production for commercial purposes of crops, livestock, and livestock products, the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

List the type(s) of agricultural production that is currently occurring on the parcel(s) being included:

Crop operation and feed lot.

Is the parcel(s) irrigated? H-3-2-3-2416 is irrigated, but H-3-2-3-2417 and H-3-2-3-2418 are not.

Describe the types and number of structures that are located on the parcel(s):
H-3-2-3-2417 - 1 shed

H-3-2-3-2418 - 2 sheds and 4 grain bins

List the extend and nature of existing or proposed farm improvements:
Keep land as a crop operation and feed lot.

What do you anticipate being the trends in agriculture and technical conditions for the *agriculture production* on the parcel(s)?

We would like to keep processing hay to feed the cows on the feed lots.

Ann R. Reeve

Signature of Applicant(s)

Ruth N. Reeve

July - 2 - 2022

Date

July - 2 - 2022

(Office Use Only)

Date Received: 7.5.22

Application Complete: YES



NO



Date application deemed to be complete: 7.5.22

Completion determination made by: BS

AFFIDAVIT
PROPERTY OWNER

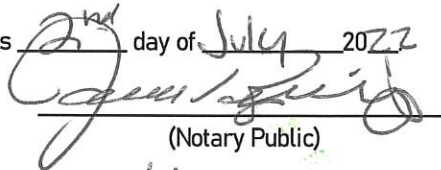
STATE OF UTAH)
 : SS
COUNTY OF Washington)

I (we), Ruth Reeve & Annie Reeve, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

Ruth Reeve
(Property Owner)

Annie Reeve
(Property Owner)

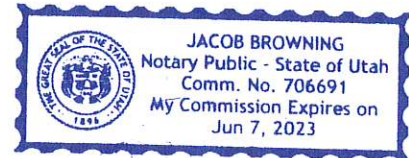
Subscribed and sworn to me this

2nd day of July 2022


(Notary Public)

Residing in: Warren UT

My Commission Expires: 7-7-23



Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20____.

(Notary Public)

Residing in: _____

My Commission Expires: _____



August 11, 2022

Subject: Report to City Council on proposed Agricultural Protection for Parcels H-3-2-3-2416, H-3-2-3-2417, and H-3-2-3-2418

Hurricane City Council,

The Planning Commission forwards the following findings regarding Agricultural Protection Overlay 2022-AP-04:

1. The land is currently being used for agricultural production
2. The land is zoned for agricultural uses, RA-1
3. The land is viable for agricultural use
4. The property is congruent with agriculture protection zones
5. Approving the use of this land for agriculture is consistent with current and expected technological trends in agriculture.

Future Use

1. The General Plan maps have the area listed as Single Family
2. 700 W is located adjacent to the property. 700 W does not have it's full dedication at this property.

Recommendation

The Planning Commission recommends that the City Council approve the overlay request for Parcels H-3-2-3-2416, H-3-2-3-2417, and H-3-2-3-2418 with the exception of the future complete right-of-way for 700 W.

Agenda Date:	08/18/2022
Application Number:	2022-AP-04
Type of Application:	Agriculture Protection Overlay
Action Type:	Legislative
Applicant:	Ruth and Annie Reeve
Agent:	
Request:	A report for the City Council on a proposal to create an Agricultural Protection Area
Location:	Approximately 1100 S 700 W
Zoning:	RA-1
General Plan Map:	Single Family

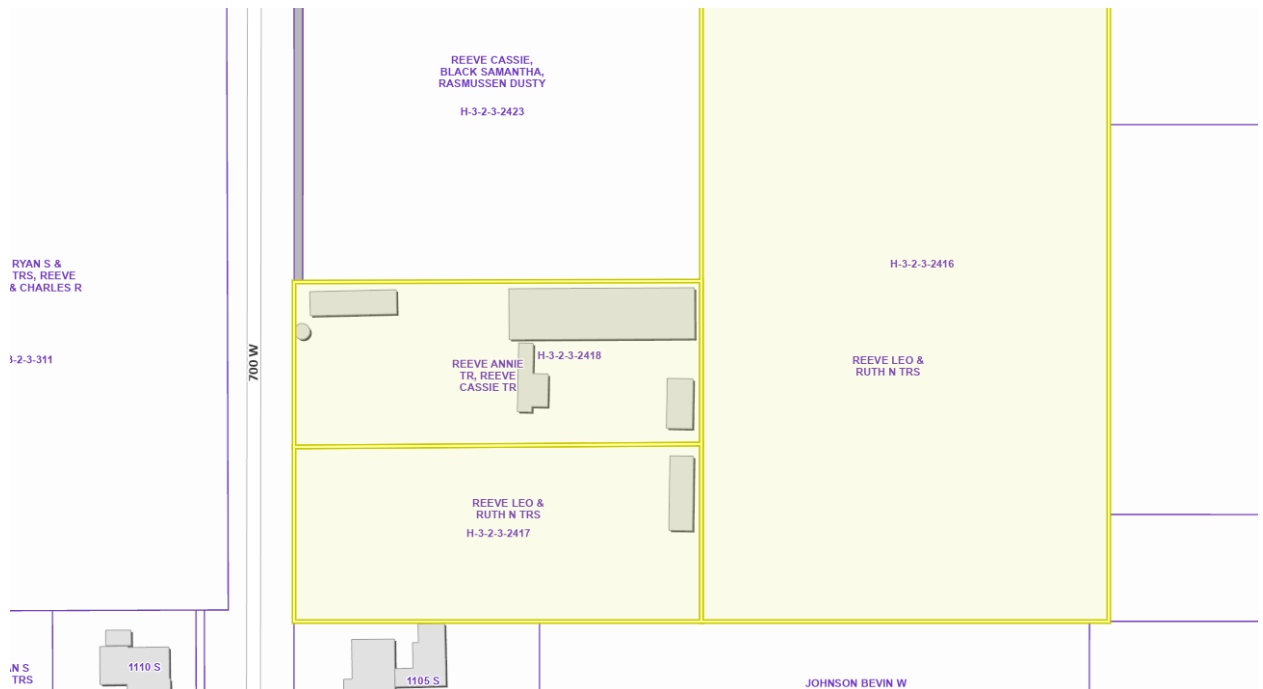
Planning Commission Recommendation

The Planning Commission issued a letter, attached, with a positive recommendation for the approval of the agriculture protection overlay minus the needed right-of-way dedication on 700 W.

Discussion: This request is not to change the zone but protect the land with an Agricultural Protection Area Overlay Zone. The total size is 7 acres. State and City codes set the standards for review by the Planning Commission and the County Agricultural Protection Area Advisory Committee. An Agricultural Protection Area grants certain legal protections to the property, including preventing forced rezoning the property, providing a defense against nuisance actions, notice to new subdivisions, and limiting eminent domain actions. These protections are found in the Utah Code, sections of which are included in this report.

One of the parcels, H-3-2-3-2418, was included in an agriculture protection overlay application earlier this year but was rejected for not meeting the size requirement within City Code. The applicant has combined this property with adjacent farm property and now meets the 5-acre minimum standard.

1. *Analyzes and evaluates the effect of the creation of the proposed area on the planning*



The City does have a 70' Master Plan Roadway (700 W) that exists along the western boundary of this property, of which only about 55' of it has been dedicated in this section. As you can see above, the property owner to the north has had to dedicate more property for the roadway. An Agriculture Protection Overlay could complicate the city's efforts at road widening and utility upgrades. However, these roadway and utilities will likely not be needed until the property is being considered for development.

2. *Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305 –*

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

- (1) *whether or not the land is currently being used for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*
- (2) *whether or not the land is zoned for agriculture use, industrial use, or critical infrastructure materials operations, as the case may be;*
- (3) *whether or not the land is viable for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*
- (4) *the extent and nature of existing or proposed farm improvements, the extent and nature of existing or proposed improvements to or expansion of the industrial use, or the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, as the case may be; and*
- (5)
 - (a) *in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions;*
 - (b) *in the case of an industrial protection area, anticipated trends in technological conditions applicable to the industrial use of the land in question; or*

(c) in the case of a critical infrastructure materials protection area, anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question.

The current agricultural uses include a crop operation and a feedlot for a number of cows. The applicant wants to continue with its current use. The Zoning is RA-1.

3. *Recommends any modifications to the land to be included in the proposed agricultural protection area.*

Staff would recommend the Planning Commission not include the proposed future right-of-way for 700 W.

4. *Analyzes and evaluates any objections to the proposal.*

No objections have been received.

5. *Includes a recommendation to thelegislative body to either accept, accept and modify, or reject the proposal.*

See the attached letter

Recommendation: Staff recommends the City Council review the evaluation criteria, discuss the application with the applicants. Staff recommends approval of the agriculture protection overlay minus the needed dedication for 700 W.



DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

WGS_1984_Web_Mercator_Auxiliary_Sphere



Parcels

Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management Wildlife

National Park Service

Shivwits Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

State Park

State of Utah

Washington County

Municipally Owned

School District

Privately Owned

Water

Water Conservancy District

State Assessed Oil and Gas

Mining Claim

Notes

Current Zoning for Proposed Ag Protection



7/5/2022, 3:20:30 PM

Hurricane City Limits-sym

Zoning Overlays

Agricultural Protection Overlay

Zoning Class

RA-1: Residential Agricultural - 1 Unit Per Acre

RA-0.5: Residential Agricultural - 2 Units Per Acre

Public Facility

Parcels

1:2,257

0 0.02 0.04 0.07 0.09 mi

0 0.04 0.07 0.14 km

City of Hurricane GIS, Bureau of Land Management
Utah AGRC, Esri, HERE, Garmin, GeoTechnologies,
Inc., USGS, EPA, USDA

Web AppBuilder for ArcGIS
City of Hurricane

ORDINANCE NO 2022-45

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE
FOR PARCEL H-3-2-3-4220-A AND H-3-2-3-4220-B FROM RA-0.5 TO R1-15

WHEREAS, Utah Code 10-9a allows Cities to regulate land use within their boundaries,

WHEREAS, the proposed amendment is generally compatible with the current General Plan's map for future use; and

WHEREAS, the proposed zone change will have a minimal impact on the surrounding development.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT

1. The proposed zone change parcel H-3-2-3-4220-A and H-3-2-3-4220-B from RA-0.5 TO R1-15 is approved.

PASSED AND APPROVED on this 18th day of August 2022.

Hurricane City

Mayor

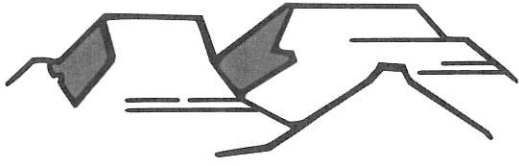
Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the ____ day of July 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	____	____	____	____
David Sanders	____	____	____	____
David Hirschi	____	____	____	____
Kevin Thomas	____	____	____	____
Doug Heideman	____	____	____	____

Cindy Beteag, Recorder



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

ZONE CHANGE APPLICATION

For office use only: \$500.00 Fee

File No. 2022-2C-31

Receipt No. \$460379

Name: Pete Dratter Telephone: _____

Address: PO BOX 277, Hurricane, UT 84737 Fax No. _____

Email: _____ Agent Email: chase.stratton@interstatenak.com

Agent (If Applicable): Chase Stratton Telephone: 435-773-3666

Address/Location of Subject Property: 650 S. 850 W., Hurricane, UT 84737

Tax ID of Subject Property: H-3-2-3-4220-A & B Existing Zone District: RA-0.5

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) R1-15

Add 2 or 1 additional lots in the subdivision to have better dimensioned and more affordable lots.

Submittal Requirements: The zone change application shall provide the following:

- ☒ a. The name and address of every person or company the applicant represents.
- ☒ b. An accurate 11 x 17-inch property map showing the existing and proposed zoning classifications.
- ☒ c. All abutting properties showing present zoning classifications.
- ☒ d. An accurate legal description of the property to be rezoned.
- ☒ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- ☒ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES _____ NO _____

Date application deemed to be complete: _____ Completion determination made by: _____

RECORDING REQUESTED BY:

JEFFREY L. BURR & ASSOCIATES
4455 S. Pecos Road
Las Vegas, Nevada 89121

WHEN RECORDED MAIL TO:

Mr. Peter J. Dratter
3121 Plaza De Rosa
Las Vegas, NV 89102

MAIL TAX STATEMENTS TO:

Mr. Peter J. Dratter
3121 Plaza De Rosa
Las Vegas, NV 89102

00696694 BK 1380 Pg 0712
RUSSELL SHIRTS & WASHINGTON CO RECORDER
2000 SEP 18 14:49 PM FEE \$10.00 BY BJ
FOR: JEFFREY L. BURR LTD

Parcel Number(s):

WARRANTY DEED

Documentary transfer tax is none. No Consideration.

PETER J. DRATTER,
hereby **CONVEYS AND WARRANTS TITLE** to
PETER J. DRATTER, Trustee of the PETER J. DRATTER LIVING TRUST,
dated September 13, 2000
the following described real property in the County of Washington, State
of Utah:

All of Lot Twenty-Two (22), Block 6, Hurricane Field Survey,
according to the Official Plat thereof, on file in the Office of
the Recorder of Washington County, State of Utah.

TOGETHER WITH all improvements and appurtenances thereunto
belonging.

Also together with Five (5) shares of water rights in the
Hurricane Canal Company.

SUBJECT TO easements, rights of way, restrictions, and
reservations of record and those enforceable in law and equity.

Dated: September 13, 2000

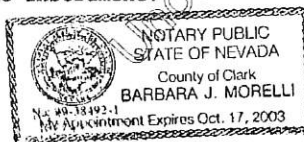

PETER J. DRATTER

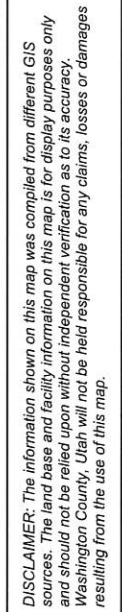
STATE OF NEVADA
COUNTY OF CLARK

On September 13, 2000, personally appeared before me, a Notary Public, PETER J. DRATTER,
personally known to me to be the person whose name is subscribed to the above instrument
who acknowledged that he executed the instrument.

Witness my hand and official seal.

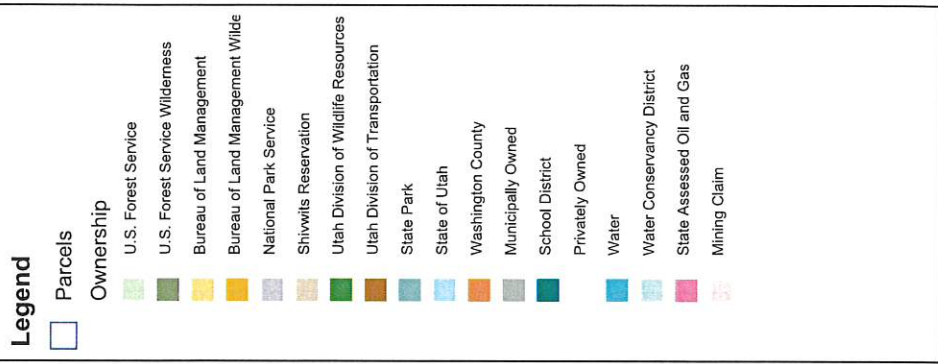

Notary Public





376.2	0	188.08	376.2 Feet
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WGS_1984_Web_Mercator_Auxiliary_Sphere



Notes

CAPPS DERRICK WAYNE II & NICHOLE ANNE
H-3-2-3-4135
860 W 650 S
HURRICANE, UT 84737

TERRY BRANDON & KARLEY
H-HACA-6
PO BOX 602
HURRICANE, UT 602

DRATTER PETER J TR
H-3-2-3-4220-B
PO BOX 277
HURRICANE, UT 84737-0277

YOUNG BRYSON, ET AL
H-REDD-3
PO BOX 731
HURRICANE, UT 84737-0731

WADSWORTH JOSHUA D & HEATHER
H-HACA-4
745 S 775 W
HURRICANE, UT 84737

BALLARD DAVID RAY & KARI K TRS
H-3-2-3-4121
237 W 100 S
HURRICANE, UT 84737

CRANDALL KATHY A TR
H-3-2-3-4132
307 S 200 W
HURRICANE, UT 84737

NIELSON MICHAEL & LISA
H-HACA-5
717 S 775 W
HURRICANE, UT 84737

DRATTER PETER J TR
H-3-2-3-4220-A
PO BOX 277
HURRICANE, UT 84737-0277

LAYTON LARENE W TR
H-3-2-3-4223
PO BOX 973
LITTLEFIELD, AZ 86432-0973

BEAGLEY NATHAN
H-3-2-3-4133
554 S 840 W
HURRICANE, UT 84737

REBER KEVIN MAC & CATHERINE ANN
H-3-2-3-448
735 W 650 S
HURRICANE, UT 84737

REDDISH SEAN R, ET AL
H-3-2-3-449
751 S 920 W
HURRICANE, UT 84737

CAHOON GARY G
H-3-2-3-4153
9359 GLENBOROUGH DR
ELKO NEW MARKET, MN 55020-9723

DRATTER PETER J TR
H-3-2-3-4220-C
PO BOX 277
HURRICANE, UT 84737-0277

PACKARD LUCY ANNETTE PEEPLES TR
H-HACA-3
766 N 325 E
HURRICANE, UT 84737-1777

FLUCKIGER ADAM & MANDY
H-REDD-2
337 N 3340 W
HURRICANE, UT 84737

DRATTER PETER J TR
H-3-2-3-4219
PO BOX 277
HURRICANE, UT 84737-0277

SCHOLZEN JEREMY & LAURIE
H-3-2-3-4129
870 S 400 W
HURRICANE, UT 84737

CAPPS DERRICK WAYNE II & NICHOLE ANNE
H-3-2-3-4134
860 W 650 S
HURRICANE, UT 84737

REYNOLDS TERRY & CATHERINE
H-3-2-3-4137
880 W 650 S
HURRICANE, UT 84737

WOOD NATHELLA TR
H-3-2-3-4222
805 S 920 W
HURRICANE, UT 84737

WRIGHT KORY & TIFFANI
H-HACA-1
698 S 775 W
HURRICANE, UT 84737

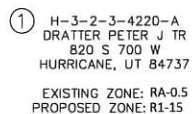
HATCH JEREMY D & BRITTANY TAYLOR
H-REDD-1
227 W 1080 S
HURRICANE, UT 84737

HUTCHINGS LANCE L & NATALIE
H-HACA-2
730 S 775 W
HURRICANE, UT 84737

LISONBEE DAVID & RACHEL
H-3-2-3-451
255 S 1150 W
HURRICANE, UT 84737

DRATTER PETER J TR
H-3-2-3-4281
PO BOX 277
HURRICANE, UT 84737-0277

STOUT RICK
H-3-2-3-4224
9834 NICOVA AVE
LAS VEGAS, NV 89148



② H-3-2-3-4220-B
DRATTER PETER J TR
820 S 700 W
HURRICANE, UT 84737

EXISTING ZONE: RA-0.5
PROPOSED ZONE: R1-15

920 WEST

— FOUND NAIL
& WASHER

ZONE: RA-0.5

ZONE: RA-0.5

840 WEST

ZONE: RA-0.5

ZONE: RA-0.5

650 SOUTH

$$\begin{array}{r} 589^{\circ}01'32"E \\ \hline 1369.55' \end{array}$$

LOT 22
HURRICANE
SURVEY

ZONE: RA-1

ZONE: RA-1

ZONE: RA-1

ZONE: RA-1

ZONE: RA-1

SW COR LOT 22
BLK 6, HURRICANE
FIELD SURVEY
ZONE: RA-1

ZONE: RA-1

— SE COR LOT 22
BLK 6, HURRICANE
FIELD SURVEY

ZONE: RA-1

ZONE CHANGE MAP FOR:
PETER J. DRATTER
SECTION 3, TOWNSHIP 42 SOUTH, RANGE 13 WEST, HURRICANE, UTAH

ZONE CHANGE DESCRIPTIONS:

H-3-2-3-4220-A & H-3-2-3-4220-B:

ALL OF LOT TWENTY-TWO (22), BLOCK 6, HURRICANE FIELD SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.

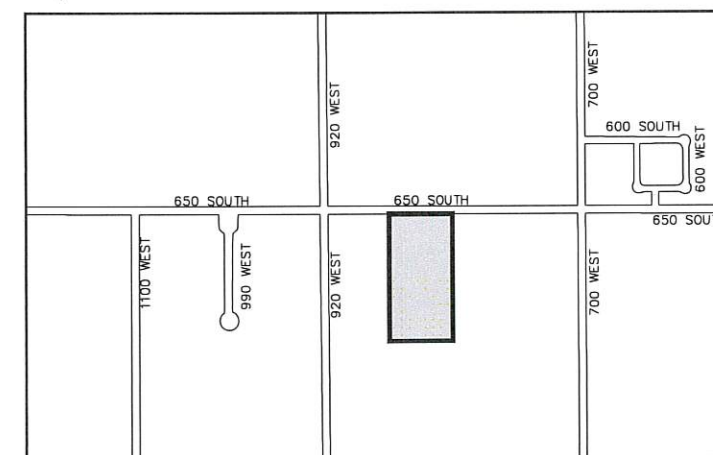
2.5

— FOUND SPINDLE

01°04'05"W

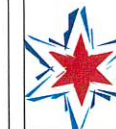
FOUND ALPHA ENG.
SPINDLE & WASHER

1300 SOUTH



VICINITY MAP
N.T.S.

INTERSTATE ROCK



GENERAL BUILDING & ENGINEERING CONTRACTOR
42 SOUTH 850 WEST, HURRICANE, UT 84737
P:435.635.2625 | F:435.635.2177

DESIGNED BY CDS

DESIGNED BY MDZ
DRAWN BY KKS

CHECKED BY CDS

INTERSTATE ROCK PRODUCTS, INC.

ZONE CHANGE MAP FOR:

PETER J. DRATTER

BY

REV	DATE	DESCRIPTION
-----	------	-------------

DATE	7/13/2022
------	-----------

SCALE $1'' = 40'$

DRAWING NUMBER



STAFF COMMENTS

Agenda Date:	8/18/2022
Application Number:	2022-ZC-31
Type of Application:	Zone Change Application
Action Type:	Legislative
Applicant:	Pete Dratter
Agent:	Chase Stratton
Request:	A Zone Change from RA-0.5 to R1-15
Location:	650 S 850 W
Zoning:	RA-0.5
General Plan Map:	Single Family

Planning Commission Recommendation

The Planning Commission recommended deny

Discussion:

The applicant is seeking a zone change from RA-0.5 to R1-15 to allow for the building of one or two new homes in the already approved Dratter Estates subdivision. Dratter Estates has signed construction drawings and infrastructure work has already begun. An identical zone change application was approved for RA-0.5 in July of 2021. At the time, the Planning Commission gave the following recommendation for the zone change:

The Planning Commission recommended that the City Council approve an RA-0.5 Zone. with the following findings

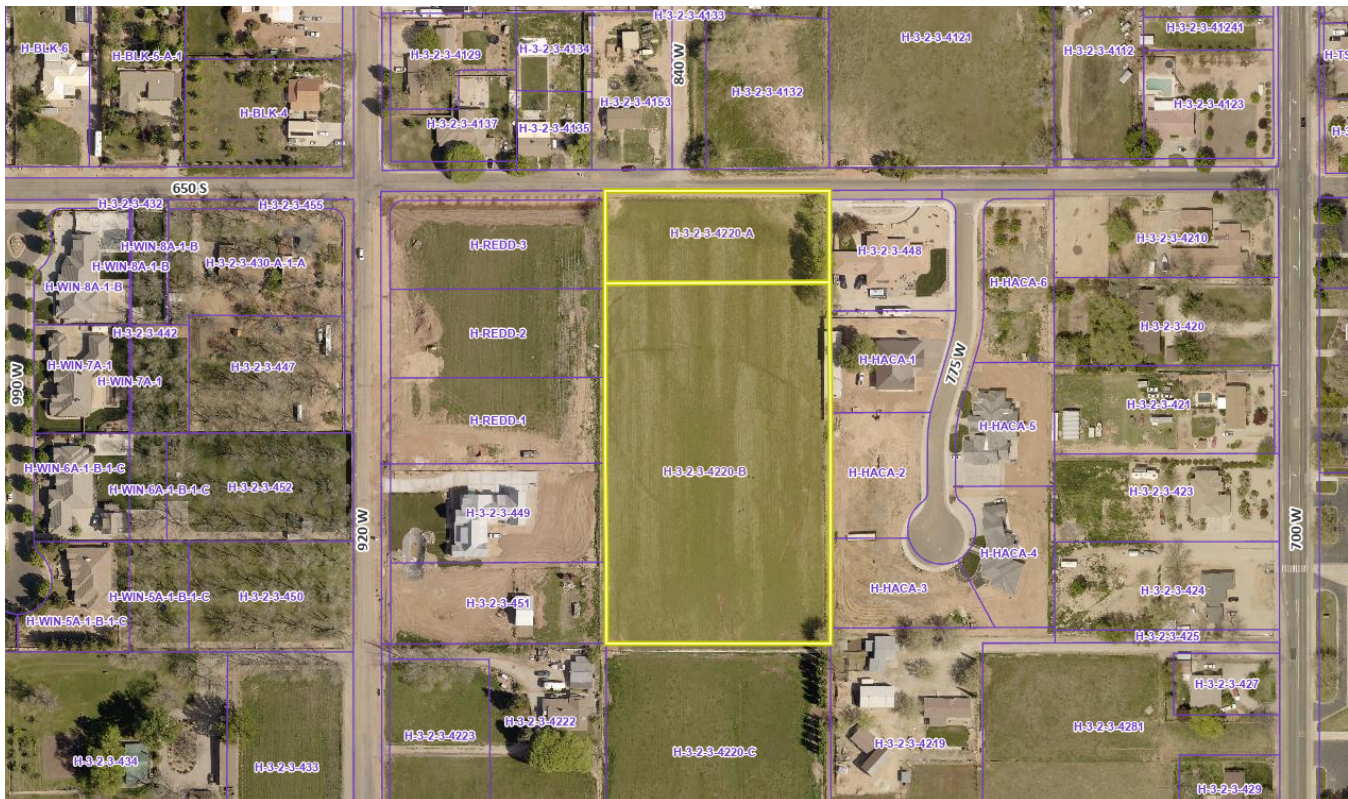
RA-0.5 zoning is more

- *Compatible with the General Plan*
- *Compatible with the surrounding development*
- *Services are available*

The City Council later accepted the recommendation from the Planning Commission and it was approved as a RA-0.5. From the July 15, 2021 City Council meeting:

Nanette Billings motioned to approve the zone change request to half acre lots based on it being harmonious with surrounding properties, there is infrastructure in the area, and the Master Plan allows half acre lots. Seconded by Kevin Tervort. Motion carried with Nanette Billings, Dave Sanders and Kevin Tervort voting aye.

	Zoning	Adjacent Land Use
North	RA-0.5	Single Family Homes
East	RA-1	Single Family Homes (Reddish subdivision), agriculture
South	RA-1	Mostly agriculture
West	RA-0.5, PF	Single Family Homes, churches, schools



To change the zoning on any parcel of land within the City of Hurricane, the following questions need to be addressed:

10-7-7: ZONING MAP AND TEXT AMENDMENTS:

E. Approval Standards: A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council as described in subsection [10-7-5A](#) of this chapter. In making an amendment, the following factors should be considered:

- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- 3. The extent to which the proposed amendment may adversely affect adjacent property; and*
- 4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

1. Is the proposed amendment consistent with the City's General Plan's goals, objectives, and policies?

Response: The General Plan Map shows this area as a Single Family. The 2021 General Plan defines Single Family as follows:

These uses should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6.

This proposed zone change does comply with the General Plan Map. This area is also close to parks, schools, and churches.

Since the 2021 General Plan Map, the City has hesitated to approve zone change in the area to R1-6 to R1-15 Zones because of its agricultural heritage. Staff has suggested that this area be remapped as Rural Residential to align the map with the desire of the Planning Commission and City Council. Generally, staff is supportive of maintaining the current map designation of *Single Family* because of the area's proximity to parks, schools, services, utilities, and downtown. This allows a slightly higher density to have greater access to these public and private amenities.

2. Is the proposed amendment harmonious with the overall character of existing development in the subject property's vicinity?

Response: The proposed zone change will allow for single family homes to be built on larger lots. This is harmonious with the surrounding development. The applicant's request is for the largest single family zoning outside of the agriculture and residential agricultures zones.

3. Will the proposed amendment affect the adjacent property?

Response: Yes, but it is well within the area's densities approved by the General Plan. The applicant has said they only want to do one or two more units; while the most they could with the property size is three additional units.

4. Are public facilities and services adequate to serve the subject property?

Response: Facilities and services are adequate for this development, and most infrastructure is currently being put in place. See JUC comments below.



Other Considerations

JUC Comments:

1. **Power:** Wants to see the redesign
2. **Sewer:** May need to move laterals around if they've already set them
3. **Streets:** No concerns
4. **Water:** Meters need to be moved to the right spots
5. **Engineering:** No comments
6. **Fire:** Need to check if hydrants need to be moved
7. **Cable/Phone/Gas/WCWD:** No comments

Staff Comments:

1. Dratter Estates is approved for eight units over five acres. R1-15 zoning would allow for up to 11 units on the property, the applicant is only proposing nine-ten units.
2. Any addition to the already approved units would require a new preliminary plat and construction drawings to be filed to accommodate the additional lots.

Findings:

Staff makes the following findings:

1. The application meets the standards within the General Plan and General Plan Map.
2. Most of the surrounding development is large lot single family homes. While staff would argue that this is broadly harmonious with the surrounding properties the Planning Commission and City Council did not agree when this was before them last year.
3. The proposed amendment will impact the area, but the limited number of additional units would mitigate the impact.
4. Services are adequate to serve the area and proposed project.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. Staff recommended approval on the initial zone change based on the General Plan map, nearby services, and the fact it was the largest of the single-family zones; however, the previous City Council found it non-harmonious with the surrounding properties.

PRELIMINARY PLAT FOR: DRATTER ESTATES

SECTION 3, TOWNSHIP 42 SOUTH, RANGE 13 WEST, S.L.B.&M.
650 S. AND 840 W. HURRICANE, UTAH 84737

SUBDIVISION BOUNDARY:

BEGINNING AT THE NORTH EAST CORNER OF LOT 22, BLOCK 6 OF THE HURRICANE FIELD SURVEY, OFFICIAL RECORDS OF WASHINGTON COUNTY, UTAH AND RUNNING THENCE ALONG THE EAST LINE OF SAID LOT 22 SOUTH 01°24'44" WEST 663.13 FEET TO THE SOUTHEAST CORNER OF LOT 22 AND RUNNING THENCE ALONG THE SOUTH LINE OF SAID LOT 22 NORTH 89°01'32" WEST 329.93 FEET TO THE SOUTH WEST CORNER OF LOT 22. RUNNING THENCE ALONG THE WEST LINE OF SAID LOT 22 NORTH 01°05'00" EAST 663 FEET TO THE NORTHWEST CORNER OF LOT 22 AND RUNNING THENCE ALONG THE NORTH LINE OF SAID LOT 22 SOUTH 89°01'32" EAST 329.93 FEET BACK TO THE POINT OF BEGINNING, CONTAINING ALL TRACTS OF LAND WITHIN LOT 22 OF LOT 6 OF THE HURRICANE FIELD SURVEY, CONTAINING 5.00 ACRES.

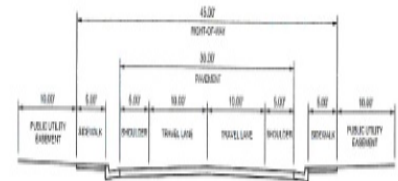
LEGEND

- MINOR CONTOUR (1 OR 2)
- MAJOR CONTOUR (10 OR 15)
- EXISTING STORM DRAIN PIPE
- EXISTING AREA CURB
- EXISTING CURB INLET
- EXISTING 12" SANITARY REVERSE PIPE
- EXISTING SEWER MANHOLE
- EXISTING 12" CULINARY WATER MAIN
- EXISTING IRRIGATION WATER
- EXISTING PIPE HYDRANT
- EXISTING WATER VALVE

NOTES:

- ALL STORM WATER TO BE HANDLED BY STORM DRAIN SYSTEM AS NECESSARY.
- EXISTING 12" PIPE HURRICANE CANAL COMPANY FACILITY LOCATED ON THE WEST SIDE OF THE SUBDIVISION WILL BE RELOCATED BY REMOVING ALL 12" PIPE WITHIN THE SUBDIVISION BOUNDARIES AND ALLOWING FOR OPEN FLOW TO THE EAST WHERE A FUTURE AREA DRAIN WILL BE INSTALLED. ALL FUTURE IRRIGATION TALKWATER WILL BE COLLECTED AT THE AREA DRAIN AND INTO THE STORM SYSTEM THAT WILL BE LOCATED WITHIN THE BLOCK.
- THIS PROJECT IS NOT LOCATED WITHIN A DESERT TOWNSHIP TAKE AREA.

RESIDENTIAL LOCAL



VICINITY MAP
N.T.S.



INTERSTATE ROCK
GENERAL BUILDING & ENGINEERING CONTRACTOR
GENERAL OFFICE: 1000 W. 1000 S. SUITE 100, HURRICANE, UT 84737
P: 435.635.2625 | F: 435.635.2177

NOT FOR CONSTRUCTION

DESIGNED BY JMS
DRAWN BY JMS
CHECKED BY JMS

INTERSTATE ROCK PRODUCTS, INC.
PRELIMINARY PLAT FOR:
DRATTER ESTATES
SECTION 3, TOWNSHIP 42 SOUTH, RANGE 13 WEST, S.L.B.&M.

REV	DATE	DESCRIPTION	BY

DATE: 7-20-2021
SCALE: 1" = 40'
SHEET: 1
TOTAL SHEETS: 1

**WaterSMART: Water and Energy Efficiency Grants
for Fiscal Year 2023
Notice of Funding Opportunity No. R23AS00008**

**City of Hurricane, Utah
Secondary Water Metering Project
Phase 1**



Applicant

City of Hurricane
147 N. 870 W.
Hurricane, U 84737
T: (435) 635-2811

Project Manager

Ken Richins
646 W. 600 N.
Hurricane, UT 84737
T: (435) 635-9442
kenr@cityofhurricane.com

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Technical Proposal

Executive Summary

Date: July 28, 2008

Applicant Name: City of Hurricane (Category A Applicant)

City, County, State: City of Hurricane, Washington County, Utah

Project Manager: Ken Richins
646 W. 600 N.
Hurricane, UT 84737
T: (435) 635-9442
kenr@cityofhurricane.com

Project Funding Request: Funding Group I, \$500,000;
Total Project Cost (Future Phases), \$2,805,000

Project Summary

The City of Hurricane water department recently applied for the Utah 2022 House Bill 242 seventy percent (70%) grant for installing metering its secondary irrigation system. The City is applying for the WaterSMART Water and Energy Efficiency Grant to assist with funding the remaining 30% of the project. The City of Hurricane's Secondary Water Metering Phase 1 Project will install approximately 250 meters. The overall intent of the project is to install 1,460 meters as soon as funding is available. Since the secondary system has been installed, the measured water through the mainline flow meter indicates little or no water conservation by individual residents throughout the City due to the lack of accountability regarding individual secondary water consumption. It is expected that this project will reduce secondary water usage by approximately 30% with annual water savings around 480 acre-feet. The City owns and maintains the secondary water distribution system and provides secondary water to these 1,460 connections for outdoor use including watering lawns and gardens. The secondary system greatly reduces the peak summer demands on the culinary system when outdoor use is at its highest. This project will also further the City's commitment to more efficiently understand secondary water usage within its community so that the City can educate its water users and promote water conservation; while also utilizing

secondary water to maintain the desired look and appeal of one of Utah's most rapidly growing communities.

Length of Time and Estimated Completion Date

This project is ready to move forward as soon as it is awarded. The installation of the meters, in the first phase of the project, will not take more than six months, and it is anticipated that they be installed during the winter months to minimize disruptions to the peak secondary water use in the summer months. The education and information process will be ongoing with regular public information regarding the time and placement of the meters throughout the entire project. The project will be completed within the required two-year time frame.

Federal Facility

The installation of the secondary water meters will not be located on a federal facility.

Project Location

The meters within this project will be located within the extent of the City's current secondary water system, as shown in Figure 1, Appendix A. All meter installations will occur on existing irrigation lines in previously disturbed areas.

Technical Project Description

The City's current secondary water system receives its water from the Quail Creek Pipeline. The flow is only metered at the connection to this pipeline, and not at each connection. The proposed project will involve installing a new meter on each existing connection to the secondary water system. Meter installation will be completed to conform with the City of Hurricane's Design & Construction Standards. Currently user fees are based on the size of the lot being served. Once all connections have new meters installed, the City plans to use comparative data to educate the City's residents about water consumption and conservation methods.

Upon award, an engineering design report will be prepared to evaluate the best flow meter and Advance Metering Infrastructure (AMI) equipment options. All necessary permits will be obtained during this process. With the continually changing

technological advancements in metering, an evaluation of the best possible equipment will be completed by the City prior to installation.

With funds from this grant, the City will purchase the water meters and complete the installation. Thus, it will reduce costs and properly correlate the meters to the appropriate address where they will be installed. Prior to any physical construction or disruption to individual yards, a public involvement information campaign will be organized to identify and inform all users who will be affected.

Evaluation Criterion A: Quantifiable Water Savings

Describe the amount of estimated water savings.

With the installation of secondary water meters, the City anticipates an estimated water savings of 480 acre-feet per year. Additional water savings may be seen as individual water users have the ability to more accurately monitor and adjust their individual use.

Describe current losses.

Water is being overused primarily on lawns, gardens, and overspray to impervious areas such as concrete sidewalks, and is mostly lost to evapotranspiration and evaporation. Excess watering can cause water to runoff and provide moisture to invasive and unwanted plants and weeds, usually within the City's public streets and rights-of-way.

Describe the support/documentation of estimated water savings.

Estimated water savings was determined based on the overall metered secondary use data from the service area. In 2020 the total use of the 1,378 connections was 1,611.2 acre-feet or approximately 1.17 acre-feet per connection. The Weber Basin Water Conservancy District (WBWCD), in northern Utah, has shown that metered use reduces consumption by approximately 30%. This value correlates to a reduction of approximately 480 acre-feet in the City or Hurricane's system.

Municipal Metering

a. How has the estimated average annual water savings that will result from the project been determined?

It is estimated that the proposed project will conserve approximately 480 acre-feet per year as outlined above. Metered secondary water connections use significantly less water than unmetered connections.

b. How have current system losses and/or the potential for reductions in water use by individual users been determined?

The City currently has mainline meters installed on their secondary system. Without metering the end user, distribution system losses, specific to this system, cannot be determined. As outlined above, there is significant impact to individual water users from having a meter and being able to monitor specific use. The WBWCD has shown that, without usage information from the meter, users assume they are using a reasonable amount of water. However, when the actual usage is known, coupled with help and information on proper landscape water needs, data shows that water use in metered areas has decreased. The City of Hurricane is confident that there will be substantial water savings with each new meter based on experiences of similar projects in northern Utah.

c. For installing end-user water service meters, e.g., for a residential or commercial building unit., refer to studies in the region or in the applicant's service area that are relevant to water use patterns and the potential for reducing such use. In the absence of such studies, please explain in detail how expected water use reductions have been estimated and the basis for the estimations.

There is no historical individual secondary water use data in the area, as no individual meters are currently installed. All new subdivisions, developments, and new service connections to the City's secondary system will be required to install individual meters.

As no historical data is available in the area, data from the Weber Basin Water Conservancy District has been utilized to estimate water reductions. From 2012 to 2018, the WBWCD collected and compiled in hourly increments to analyze and determine the effectiveness of 1,057 meters, during irrigation seasons. The

data showed secondary water use by year for both metered and un-metered connections. On average, metered secondary connections used nearly 30% less than unmetered connections. Even in summers with above average temperatures, with an increase in secondary water use, the metered secondary irrigation users did not increase their use as much as un-metered users did.

d. What types (manufacturer and model) of devices will be installed and what quantity of each?

As noted previously, prior to installation, an evaluation and availability of the best possible equipment will be completed by the City. It is anticipated that Master Meter Sonata meters will be installed on all connections. All meters will incorporate AMI connectivity. The project will ultimately consist of installation of approximately (1400) 3/4" meters, (30) 1-1/2" meters, (20) 2" meters, and (10) 4" meters. It is anticipated that approximately 250 meters be installed in the initial project's phase with funds from this grant.

e. How will actual water savings be verified upon completion of the project?

Actual water savings will be verified upon completion of the Project by comparison of the total metered use data, gathered and summarized by the new meter system, to the historical water usage that has been metered in the overall system. If weather is significantly different between years, evapotranspiration rates can be used to normalize data. Comparing historical water use to use after full implementation of the meter project will more accurately depict what impact the installation of individual meters has on the entire system.

Evaluation Criterion B: Renewable Energy

Describe any energy efficiencies that are expected to result from implementation of the water conservation or water efficiency project.

Due to the anticipated water conservation, the existing system will be required to pump a reduced volume of water. The existing pumping system boosts the water from the Quail Creek Pipeline approximately 120 feet in elevation to an existing storage and settling pond. The pumping system uses three 75 horsepower pumps, each having a capacity of approximately 1,500 gallons per minute. With an anticipated 30%

reduction in secondary water use, the energy consumed by the pumps will decrease by this same amount, which will ultimately reduce greenhouse gas emissions. Assuming the pumps run an average of six hours per day, there will result in approximately a reduction of 110,000 kW-hr in energy used for pumping at the point of diversion from the Quail Creek Pipeline. This estimate of energy reduction does not include treatment as the water is intended only for secondary irrigation use, not culinary.

Evaluation Criterion C: Sustainability Benefits

The proposed project will increase the City of Hurricane's drought resiliency. As discussed previously, it is anticipated that secondary use be reduced by 30%. The City has completed a Drought Contingency Plan which identifies metering as a strategy to mitigate the impacts of drought. A secondary meter will not only conserve water to make more water available during drought years but having a meter on each secondary connection will also allow the City to more efficiently restrict use during drought events whereas in the past the City could only ask that residents conserve water, as secondary connections are currently unmetered.

Fish and wildlife are indirectly benefited by the installation of secondary meters. With the anticipated reduction in water use, more water will remain in the native watercourses. This will sustain needed flows for species dependent upon the aquatic and riparian zones around the Ash Creek and Virgin River drainages. Specific species of concern in these drainages include the Virgin River Chub and Woundfin Minnow, both of which are Federally listed as endangered.

Evaluation Criterion D: Complementing On-Farm Irrigation Improvements

This project only includes secondary meter installation and does not have any element of on-farm irrigation improvements eligible for NRCS financial assistance.

Evaluation Criterion E: Planning and Implementation

Project Planning

The City of Hurricane has a water conservation plan that was implemented in 1999 and has typically been updated every five years with the latest update in 2020. As previously mentioned, the City also has a Drought Contingency Plan. This plan allows the City to develop better understanding of the impact of drought and strategies to plan for sustainable water demands and water supplies as they continue to change. Within the Drought Contingency Plan, water conservation is an important action in mitigating the effects of future droughts. With conservation being the key, secondary metering permits the City to more actively monitor secondary water use during times of drought, which they are currently unable to do.

The City also maintains a water conservation website to provide conservation measures to its residents: <https://www.cityofhurricane.com/200/Water-Conservation>

The proposed metering project will provide the City of Hurricane the ability to extend its water supply based on the projected growth of the City, with the ongoing concerns of limited supply of available water in Washington County. In addition, this project is a direct solution to water conservation efforts as listed in the City's water conservation plan.

Readiness to Proceed

The City of Hurricane's secondary metering project is fully capable of proceeding immediately upon entering into a financial assistance agreement. Upon receipt of project funds, the City will immediately purchase the water meters. Installation of the meters will begin in the winter months when there is lower demand on the secondary system.

Evaluation Criterion F: Collaboration

By decreasing the demand on the region's water system this project will help increase the reliability of the water systems in the regional area. It is likely that the success of the installation of secondary meters in the City of Hurricane will be noticed by

neighboring municipalities, leading to action to implement them on a regional basis. Collaboration among municipalities will help encourage users to be wise about monitoring their own usage and mindful of local water supplies.

Evaluation Criterion G: Additional Non-Federal Funding

An application with the Utah Board of Water Resources is currently under review to provide 70% of the project funds (\$1,963,500) per Utah House Bill 242.

Evaluation Criterion H: Nexus to Reclamation

This project is not directly connected to a Reclamation project. However, the implementation of secondary meters is in line with several priorities of the Bureau of Reclamation. Specifically, the projects will increase water supply and will provide an additional measure for drought resiliency for the City of Hurricane.

Performance Measures

Actual water savings will be verified upon completion of the Project by comparison of the total metered use data, gathered and summarized by the new meter system, to the historical water usage that has been metered in the overall system. If weather is significantly different between years, evapotranspiration rates can be used to normalize data. Comparing historical water use to use after full implementation of the meter project will more accurately depict what impact the installation of individual meters has on the entire system.

Project Budget

Budget Proposal and Funding Plan

The preliminary engineer's opinion of probable cost for the City of Hurricane secondary water meter installation is \$2,805,000 (see Table 1 below). As the City is applying for a Funding Group I Project, the City of Hurricane is requesting \$500,000, for the initial phase of the project, and plans to cover the remainder of the cost with funds from the Utah Board of Water Resources, and future WaterSMART grants. The proposed breakdown of all funding sources is shown in Table 2.

Table 1. Total Project Cost

Item	Description	Quantity	Unit	Unit Price	Total Price
1	Provide and Install ¾" Meter	1400	Each	\$ 1,900	\$ 2,660,000
2	Provide and Install 1½" Meter	30	Each	\$ 2,000	\$ 60,000
3	Provide and Install 2" Meter	20	Each	\$ 2,500	\$ 50,000
4	Provide and Install 4" Meter	10	Each	\$ 3,500	\$ 35,000
Total					\$ 2,805,000

Table 2. Summary of Non-Federal and Federal Funding Sources

FUNDING SOURCE	AMOUNT
Non-Federal Entities	
1. Utah Board of Water Resources	\$1,963,500.00
Non-Federal Subtotal	\$1,963,500.00
REQUESTED RECLAMATION FUNDING (Current Phase 1)	\$500,000.00
REQUESTED RECLAMATION FUNDING (Future Phase 2)	\$341,500.00
Total	\$ 2,805,000.00

Budget Narrative

The budget narrative for the project is provided below. Form SF-424A (Budget Information) further summarizes anticipated costs for this project.

Salaries and Wages

No salaries or wages for City of Hurricane personnel will be paid with funds from this project. All time from the City of Hurricane staff will be over and above the cost of the project and will not be counted toward the project cost.

Fringe Benefits

No fringe benefits will be paid with funds from this project.

Travel

No travel of City personnel will be compensated using funds from this project.

Equipment

The City will not purchase, lease, or rent equipment using funds from this project.

Materials and Supplies

All secondary meter materials will be purchased as part of the project and documented as required.

Contractual

All meter installation will be completed by the selected contractor.

Third-Party In-Kind Contributions

No third-party in-kind contributions will be included in this project.

Environmental and Regulator Compliance Costs

Costs for environmental and regulatory compliance are anticipated to be negligible as the work will be on existing irrigation lines in previously disturbed areas within the City of Hurricane.

Other Expenses

No other expenses are anticipated to be included in this project.

Indirect Costs

No indirect costs are anticipated.

Environmental and Cultural Resources Considerations

The following are responses (*in italics*) to the questions (**in bold**) posed in Section H.1 of the NOFO:

- 1. Will the project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.** *As the entire project takes place on previously disturbed*

ground, on existing secondary lines, the overall impact on the environment will be negligible. During construction, soil will be disturbed in the vicinity of each new meter, leading to the possibility of fugitive dust and increased stormwater runoff. Care will be taken to minimize fugitive dust through dust suppression via water trucks (if necessary) and lower vehicle speeds in the construction zone.

- 2. Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?** *The Utah Division of Wildlife Resources - Conservation Data Center (CDC) has compiled an interactive map that identifies sighting of threatened, endangered, and sensitive species. The map indicates that there have been sightings of nine (9) such species, although the project area has not been designated as critical habitat for any of the species. It is not anticipated that the proposed project impose any adverse impact on these species. These nine (9) species are:*

- *Zebra-Tailed Lizard: Utah Sensitive Species List*
- *Siler Pincushion Cactus: Federally listed threatened species*
- *Gila Monster: Utah Sensitive Species List*
- *Mojave Desert Tortoise: Federally listed threatened species*
- *Allen's Big-Eared Bat: Utah Sensitive Species List*
- *Burrowing Owl: Utah Sensitive Species List*
- *Sidewinder: Utah Sensitive Species List*
- *Arizona Toad: Utah Sensitive Species List*
- *Western Banded Gecko: Utah Sensitive Species List*

- 3. Are there wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as "waters of the United States?" If so, please describe and estimate any impacts the project may have.** *The installation of new secondary meters will not be near any wetlands or other surface waters.*

- 4. When was the water delivery system constructed?** *The initial irrigation system in the Hurricane Valley was constructed in the late 1800s. In 1985 the Quail Creek Reservoir and Pipeline were constructed by the Washington Water Conservancy District, The City took ownership of the secondary water system in 1994.*

5. **Will the project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.** *The project will not result in any modifications to individual features of the existing irrigation system. It will only add meters at each connection.*
6. **Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.** *The Hurricane Historic District is located within the extend of the irrigation service area. The proposed installation of secondary meters will have no impact to the structures in the area.*
7. **Are there any known archeological sites in the proposed project area?** *There are currently no known archeological sites in the proposed project area. Should cultural resources be encountered during the project, further coordination will be initiated with the State Historical Preservation Office as needed.*
8. **Will the project have a disproportionately high and adverse effect on low income or minority populations?** *No, the project will benefit all residents and visitors to the City of Hurricane.*
9. **Will the project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?** *The project will have no effect on sacred sites or tribal land, as no such sites or land exists near the proposed project.*
10. **Will the project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?** *It is not anticipated that the project will have any effect on existing noxious weeds or non-native invasive species. The opposite is expected as less runoff from excess lawn watering will be available to noxious weeds.*

Required Permits and Approvals

It is not anticipated that the installation of the secondary meters will require any permits or other approvals. If additional requirements are identified upon award, they will be addressed accordingly.

Overlap or Duplication of Efforts Statement

There is no overlap between the proposed project and other anticipated proposals. The proposal submitted for consideration under this program does not duplicate any proposal or project that has been or will be submitted for funding consideration to any other potential funding source.

Conflict of Interest Disclosure Statement

There are no conflicts of interest related to this project.

Uniform Audit Reporting Statement

The City of Hurricane submitted a Single Audit report for the year ended June 30, 2021. The Employer Identification Number associated with this report is 876112106 and is available through the Federal Audit Clearinghouse Website.

Drought Contingency Plan

The City of Hurricane has developed a Drought Contingency Plan which is included in Appendix B.

Letters of Project Support

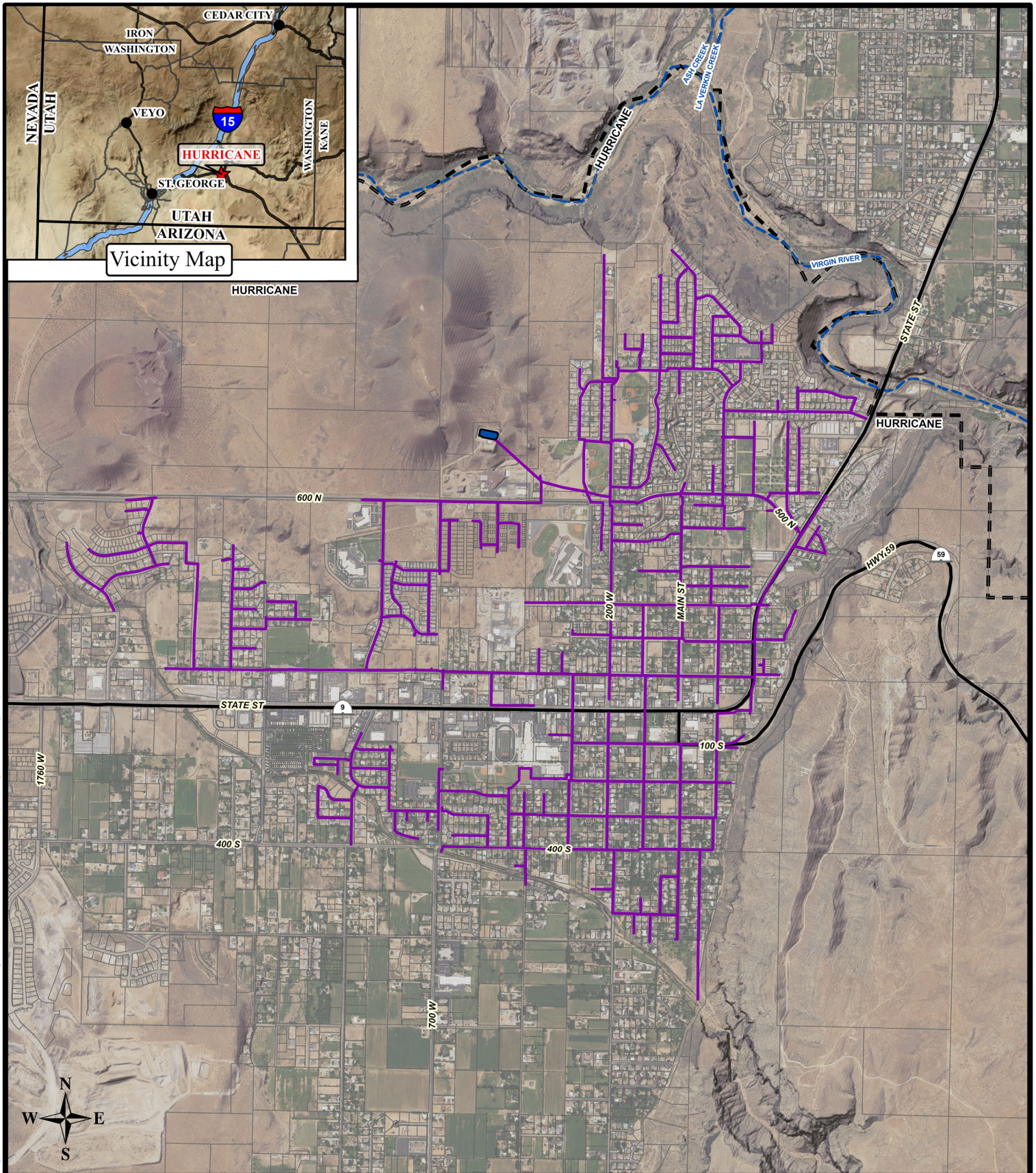
A letter of project support from the Water Superintendent at the City of Hurricane is included in Appendix C.

Official Resolution

An unsigned copy of the Official Resolution is included in Appendix C. It is anticipated that the resolution be discussed and signed at the City of Hurricane City Council Meetings during the month of August 2022. A signed copy of the form will be emailed to sha-dro-fafoa@usbr.gov.

Appendix A – Figures

Existing Pressurized Irrigation System



Legend [Purple Outline] Washington County Parcels [Purple Line] Existing Irrigation Line [Dashed Line] Municipal Boundary	Existing Pressurized Irrigation System Hurricane, Utah	
	Spatial Reference: UT83-SF	
	Drawn By:	JRH
	Scale:	1" = 2,000 feet
	Date:	July 2022



43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

Appendix B – City of Hurricane Drought Contingency Plan

City of Hurricane
2021 Drought Contingency Plan

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Section I - Introduction

Hurricane City is located in Washington County, Utah, between the City of St. George and Zion National Park. According to the 2019 Census¹, the City had a population of 19,074. Although there has been considerable growth, and a continued average growth rate at over 5%, the area has maintained its rural character. Just off Interstate-15, along State Route 9, Hurricane City is situated near several State and National Parks and other recreation areas. Due to its location, much of the economy is driven by tourism and recreation, and the area is considered locally as the “Gateway to the Parks”.

Geographically, Hurricane City is situated in the northeast portion of the Mojave Desert and is uniquely located along the eastern edge of the Basin and Range and western side of the Colorado Plateau physiogeographic provinces. At an elevation of approximately 3,250 feet, the region receives approximately 8.25 inches of rainfall annually, with most of the precipitation falling in January and a mild monsoon season in late July and August. Summers are typically hot and dry, with daytime temperatures reaching above 100 degrees and nighttime temperatures around 70 degrees. Winters are mild, with temperatures ranging from between 30 degrees to 60 degrees.

Southern Utah frequently experiences seasons of drought, straining available water resources and creating water shortages. Currently, Washington County is classified by drought monitors as experiencing moderate to severe drought. Hurricane City has often felt the impacts of water shortages due to prolonged drought. While Hurricane City, Washington County and surrounding municipalities have been successful in creating water conservation plans, decreasing per capita consumption of water by 30% between 2000 and 2018, the prolonged drought, continued population growth and increased tourism in Southern Utah requires the continued development of new water resources to meet not only the growing day to day demand but also continuous seasons of drought in the area.

Hurricane City currently receives water from a combination of surface and groundwater water rights. As surface water rights in the Virgin River basin have all been previously allocated, to obtain additional water to meet the demands for drought resilience, groundwater water rights must be obtained, and wells drilled. Since the availability of surface water is limited, construction of new wells is a primary goal, to increase the reliability of source water for Hurricane City, improving the City’s resilience during drought by adding flexibility to water management options by providing an alternate water source.

Section II - Purpose

The purpose of this Drought Contingency Plan is to establish a proactive and efficient way for the City of Hurricane to initiate action in an emergency drought situation.

¹ <https://www.census.gov/quickfacts/hurricanecityutah>

Section III - Drought Identification

Drought can be defined in many ways and from many different perspectives. One simple definition for drought from, “Drought-Ready Communities A Guide to Community Drought Preparedness²” defines drought simply as, “a period of excessive dryness long or intense enough to affect agriculture, habitat, or people.” Because drought happens typically over long periods of time with moderate to severe impacts, it is essential that a Drought Contingency Plan be prepared in the case of a drought situation.

Utah commonly has counties that suffer due to drought with recent years being no exception. Currently the entire state of Utah is in severe, extreme, or exceptional drought conditions as shown by Drought Monitor³. The City of Hurricane currently falls under severe drought conditions along with most of southwestern Utah. The City of Hurricane monitors their current sources and use of water and is continuing to update monitoring systems to improve water data. The city also works with other local agencies such as the Washington County Water Conservancy District to monitor other local waters such as Sand Hollow Reservoir and Quail Creek Reservoir to coordinate the use of these surface water bodies.

With Hurricane City located in a desert climate, drought is not typically a question of when, but how severe. As southern Utah continues to grow in popularity and population more water is needed not only for daily use, but more is needed for drought preparation. Hurricane City currently has plans to update and extend current vital water infrastructure to prepare for growing drought conditions in the area.

Section IV - Emergency Drought Action

For emergency drought action to be initiated, the Hurricane City Water/Irrigation Department will monitor and analyze water levels and data to determine the level of emergency drought action to be taken in times of drought. This information will be coordinated with the City Council to determine steps to be taken and how to properly notify citizens of circumstances and changes being made. All actions are dependent on current water levels and severity of drought in the City. Emergency Drought Actions may be one or more of the following:

- Citizens are required to follow watering restrictions, which may change as system water levels increase or decrease.
- Monitoring compliance of following watering restrictions and notifying and/or assessing fines according to the level of non-compliance.
- The City may be required to avoid flushing water mains unless required for public safety.
- Any unnecessary watering may be prohibited.
- The City will provide all needed personnel in the event of a line break to stop the loss of water and repair the line as soon as possible to minimize water loss.

² <https://drought.unl.edu>

³ <https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx>

- Use of water to wash motor vehicles, motorbikes, boats, trailers, or other vehicles may become prohibited.
- Filling, refilling, or adding water to pools or jacuzzi-type pools may be prohibited.
- A moratorium on building or adding any structures or features requiring water may be introduced.

This is not an all-inclusive list of action items that may take place and this list will be updated and changed as the City of Hurricane sees fit.

Hurricane City also currently has in place a “Hurricane City Water Management and Conservation Plan” that also aides in preparation for emergency drought conditions. This document includes information on practices and their implementation that the City has defined to help conserve water in the area. This information will continually be available and encouraged for citizens to review and implement. Any of the action items included in this document may also be implemented as Emergency Drought Action items as the City sees fit. Regardless of the current drought situation the city strongly encourages citizens to review and implement information in this document into their daily water use practices to conserve water due to living in a desert climate.

The City of Hurricane Water Department has also implemented the following tools to assist with monitoring water use and extend resources during drought conditions.

1. AMI (Advanced Metering Infrastructure). Hurricane City has already installed an AMI meter reading system. This infrastructure allows the City to send real time, 24-hour, leak alarms to its customers in text and email form. Excessive use notifications can also be delivered. For example, if a resident has a leak or break in their outdoor irrigation system, a notification would be sent along the resident to fix the issue, that may otherwise go unnoticed. This system is a great tool, especially during drought conditions. The City has currently installed approximately half of the required 4G meters and plans to install the other half in the next years.
2. SCADA (Supervisory Control and Data Acquisition). SCADA is an automated electronic monitoring system that allows the City to view water tank levels, start and stop source flows, turn pump booster stations on and off, monitor spring and wells flows and send alarms if anything isn’t working correctly. With this system in place, the City has another valuable tool to monitor and control water, especially during drought conditions.
3. GIS (Geographic Information System). Hurricane City maintains an up-to-date GIS that is utilized daily by the City’s Water Department. It shows all water sources, transmission lines, distribution and service lines throughout the City’s water system. Water operators can quickly review this mapped spatial data and decide during a water break the fastest way to shut down a water leak that effects the least number of customers while the repair is completed. This is another valuable tool that is especially useful during drought conditions.

Drought Alert Stages

Defining the Drought Alert Stages will help in prioritizing activities and speeding response time to implement the Emergency Drought Actions. The classification of the emergency will be the decision of the Hurricane City Water Department coordinated with the City Council. Members of the Water Board, City Council or employees will be designated as part of the emergency response team to provide additional help and support as required. The stages will be classified as follows:

Stage 1- This stage is implemented when the city water supply possibly will not meet all the water demands of its customers. This stage is developed to raise awareness and invoke voluntary citizen reduction measures with Hurricane City leading by example. The City will increase awareness of circumstances by reaching out to the public and providing all information to ensure that customers realize growing drought conditions and the need for compliance in water use reduction.

Stage 2- This stage is implemented when the probability exists that water supply will not be able to meet all the demands of customers. In this stage the Hurricane City Water Department will monitor the water supply daily and meet with the City Council to determine level of water reduction to customers, which may include one or more of the Emergency Drought Actions listed in this document, or other actions not specifically included in this document. At this stage water waste violations may be introduced that may result in warnings, fines, or other forms of disciplinary action. This stage also includes all implementations included in Stage 1.

Stage 3- This stage is implemented when the water supply will not meet all the demands of customers. All implementations from Stage 1 and Stage 2 will still be upheld. In this stage multiple Emergency Drought Actions will be implemented and monitored throughout the system. The Hurricane City Water Department and City Council will review supplies and make necessary adjustments to water demand reduction strategies.

Stage 4- This stage is implemented when water supply levels have dropped to an emergency state. All implementations from previous stages will be upheld and an emergency city council meeting will be held with the Hurricane City Water Department to assess the water level and define acceptable water usage at this point. No unnecessary outdoor irrigation will be allowed during this stage. Multiple or all the Emergency Drought Actions may be taken during this stage along with any other actions the city sees fit.

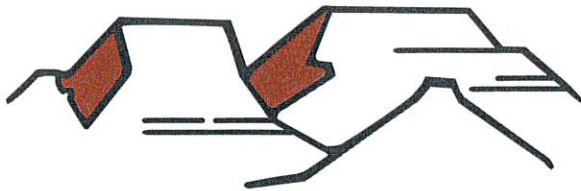
Section V - Conclusion

Hurricane City will continue to educate citizens, develop better data collection, and invest in vital infrastructure to improve water conservation in times of emergency drought. The success of this Drought Contingency Plan is dependent upon cooperation from every citizen, business, or other entities that are located within Hurricane City. Hurricane City will continue to update and develop this document as data, infrastructure, circumstances change or as they see fit.

Appendix C – Support Documents

Letter of Support

Official Resolution



WATER
HURRICANE CITY
UTAH

Ken Richins, Superintendent

Bureau of Reclamation
Attn: NOFO Team
Denver Federal Center
Bldg. 67, Rm. 152
6th Avenue and Kipling Street
Denver, CO 80225

Dear NOFO Team:

This letter of support is to encourage the funding of the City of Hurricane's Secondary Water Metering Project Phase 1. One of the most precious resources in a desert climate is water. Our city is experiencing an increased demand to meet the needs of residents, businesses, facilities, and the local economy existing in such a dry climate. The installation of secondary water meters will significantly increase conservation, to build drought resiliency, while also reducing the City's pumping costs.

For the City of Hurricane to increase its conservation measures, while continuing to provide clean and reliable culinary and secondary water to its citizens and to meet the demands of drought that the area commonly sees, it is crucial these secondary meters be installed. If funded, the project will be able to immediately begin. We thank you for your consideration of this funding application.

Please contact me at (435) 635-9442 with any questions regarding this application.

Sincerely,

Ken Richins, Water Department Superintendent
Hurricane City

OFFICIAL RESOLUTION

Presented at the Hurricane City Council Meeting on August 18, 2022, to the City of Hurricane,

IN THE MATTER OF THE PROPOSED)
WATERSMART GRANT NO. R23AS00008)
TO IMPROVE SECONDARY WATER CONSERVATION FOR)
HURRICANE CITY IN WASHINGTON COUNTY, UTAH)

WHEREAS, the Hurricane City Council was created to establish the overall policy direction for Hurricane City and is responsible for adopting City budgets; and

WHEREAS, the City of Hurricane recognizes the need to increase drought resiliency and conserve water and use it more efficiently to provide for the needs of the City's growing population;

NOW, THEREFORE, LET IT BE RESOLVED by the Hurricane City Council that:

- A) Hurricane City is in full support of and commits to the financial and legal obligations associated with the receipt of financial assistance supplied through the WaterSMART Grant identified as Funding Opportunity Announcement No. R23AS00008, such as proposed budget narratives, final performance reports, adhering to Federal, state, and local laws and regulations; and
- B) Hurricane City desires to receive a Federal grant for up to \$500,000, for the initial phase, of the estimated \$2.8 million secondary meter project; and
- C) If selected for the WaterSMART Grant, the City will work with the Bureau of Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

DATED this 18th day of August, 2022

Nanette Billings, Mayor
City of Hurricane

RESOLUTION 2022-40

Presented at the Hurricane City Council Meeting on August 18, 2022, to Hurricane City,

IN THE MATTER OF THE PROPOSED)
WATERSMART GRANT NO. R23AS00008)
TO IMPROVE SECONDARY WATER CONSERVATION FOR)
HURRICANE CITY IN WASHINGTON COUNTY, UTAH)

WHEREAS, the Hurricane City Council was created to establish the overall policy direction for Hurricane City and is responsible for adopting City budgets; and

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- B) Hurricane City desires to receive a Federal grant for up to \$500,000, for the initial phase, of the estimated \$2.8 million secondary meter project; and
- C) If selected for the WaterSMART Grant, the City will work with the Bureau of Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

DATED this 18th day of August, 2022

Nanette Billings, Mayor

ATTEST:

Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 18th day of August, 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____ . A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
Dave Sanders	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Doug Heideman	_____	_____	_____	_____

Cindy Beteag, Recorder

City Council packet for The Smart Water grant application for secondary irrigation meeting.

On 8-3-2022 Hurricane City received a grant from the UTAH Board of Water Resources to install water meters on the Hurricane City pressurized irrigation system.

Cost Estimate & Sharing, this is a recommendation from the Division of Water Resource staff to the Utah Board of Water Resources

The estimated cost of the project is \$2,810,000. The recommended cost sharing is as follows:

Agency	Cost Sharing	% of Total
Board of Water Resources - Grant	\$1,967,000	70%
Board of Water Resources - Loan	703,000	25
Applicant	140,000	5
TOTAL	\$2,810,000	100%

Staff recommends the Board authorize and commit 70% of the project cost, up to \$1,967,000, as a secondary meter grant.

Staff also recommends the Board authorize 25% of the project cost, up to \$703,000, and that the bonded indebtedness be returned at 1% interest over 15 years with annual payments of approximately \$55,000 (including reserves).

Hurricane City is applying for an additional water smart grant for this irrigation metering project. We are trying to get assistance paying for 25% \$703,000 loan portion of the meter grant. As a requirement of this grant application, the City Council needs to pass a resolution acknowledging that they are on board and support this application.

**WaterSMART: Water and Energy Efficiency Grants
for Fiscal Year 2023
Notice of Funding Opportunity No. R23AS00008**

**Completion of Advanced Metering
Infrastructure Program**



HURRICANE CITY
UTAH

Applicant

City of Hurricane
147 N. 870 W.
Hurricane, U 84737
T: (435) 635-2811

Project Manager

Ken Richins
646 W. 600 N.
Hurricane, UT 84737
T: (435) 635-9442
kenr@cityofhurricane.com

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Technical Proposal

Executive Summary

Date: July 28, 2008

Applicant Name: City of Hurricane (Category A Applicant)

City, County, State: City of Hurricane, Washington County, Utah

Project Manager: Ken Richins
646 W. 600 N.
Hurricane, UT 84737
T: (435) 635-9442
kenr@cityofhurricane.com

Project Funding Request: Funding Group I, \$500,000;
Total Project Cost, \$1,064,905.55

Project Summary

The City of Hurricane is requesting \$500,000 in federal funding assistance under Funding Group I of the WaterSMART: Water and Energy Efficiency Grant for FY 2023 to complete the installation of advanced metering infrastructure (AMI) throughout the City. The City has begun installing AMI, however due to the overall cost of the project, only small quantities of AMI have been purchased and installed as budgeting has allowed. There are approximately 3,646 typical residential connection meters and 31 larger source and monitoring meters that still need upgraded to AMI technology. The overall cost of the remaining meters totals is \$1,064,905.55. The requested \$500,000 is approximately 47% of the total project cost. The City of Hurricane is pursuing the development of AMI as a strategic effort to address the increasing growth within one of the driest regions of the United States. The system will provide accurate, real-time meter reading capabilities and enhanced customer awareness about water usage. The project will enable improved leak detection and identification of unusual water usage so any issues can be corrected in a more efficient manner. With a similar Advanced Metering Infrastructure installation program, the City of Orem, Utah anticipated a 12.5% reduction in its annual water use. This same reduction rate corresponds to an anticipated culinary water use reduction of 690 acre-feet in the City of Hurricane. The

project will contribute to the conservation of the region's limited water supplies and help improve local supply reliability.

Length of Time and Estimated Completion Date

This project is ready to move forward as soon as it is awarded. It is anticipated that the installation of the Advanced Metering Infrastructure, will not take more than twelve months. The education and information process will be ongoing with regular public information regarding the time and placement of the meters throughout the entire project. The project will be completed within the required two-year time frame.

Federal Facility

The installation of the AMI will not be located on a federal facility.

Project Location

The meters within this project will be located within the extent of the City's current culinary water service area, as shown in Figure 1, Appendix A. All AMI installations will occur at existing culinary meters, in areas that were previously disturbed.

Technical Project Description

Water conservation in the City of Hurricane and Washington County have recently become a high priority. The City has also recently updated its Water Management and Conservation Plan as well as its Drought Contingency Plan. AMI is a critical component of both plans, to assist users monitor their real time water consumption to detect leaks, adjust water usages and ultimately increase conservation. With the continually changing technological advancements in metering, an evaluation of the best possible equipment will be completed by the City prior to installation. With the funds from this grant, the City will purchase the Advanced Metering Infrastructure and complete the installation. Thus, it will reduce costs and properly correlate the meters to the appropriate address where they will be installed.

Evaluation Criterion A: Quantifiable Water Savings

Describe the amount of estimated water savings.

The number of connections and usage in the City of Hurricane's culinary system is summarized below in Table 1. With the installation of AMI, the City anticipates an estimated water savings of 690 acre-feet per year, which is 12.5% of the City's total use from the 2021 calendar year. Additional water savings will likely be seen as individual water users can more accurately monitor and adjust their use in real time.

Table 1: Historic Culinary Water Use

Year	Annual Water Use from Sources (acre-ft)	Equivalent Residential Connections
2018	5,628.71	9,260
2019	5,715.03	9,791
2020	6,567.00	10,736
2021	6,413.44	11,185

Currently, the City is unable to effectively provide residents with detailed usage data. To resolve this and increase conservation, all users will have access to a web-based application that can be used on both desktop computers and mobile devices, to allow users to actively monitor their water usage. Notifications will be provided to alert the user of high or unusual water usage, that would have otherwise gone undetected. This technology will also benefit the City as leak detection can be almost immediate as the City can monitor the water from the City's sources with the retail use to determine when leaks are occurring, allowing them to be repaired in a more efficient manner. The AMI technology will also provide more accurate meter reading and billing to ensure that no revenue is lost from inaccurate meter readings from the aging meters in the system.

Describe current losses.

In areas of the City where secondary water is not currently available, culinary water is being overused primarily on lawns, gardens, and overspray to impervious areas such as concrete sidewalks, and is mostly lost to evapotranspiration and evaporation.

Excess watering can cause water to runoff and provide moisture to invasive and unwanted plants and weeds, usually within the City's public streets and rights-of-way creating an unwanted aesthetic.

Describe the support/documentation of estimated water savings.

As noted above, the City anticipates an estimated water savings of 690 acre-feet per year, which is 12.5% of the City's total culinary use from the 2021 calendar year.

Municipal Metering

a. How has the estimated average annual water savings that will result from the project been determined?

It is estimated that the proposed project will conserve approximately 690 acre-feet per year as outlined above.

b. How have current system losses and/or the potential for reductions in water use by individual users been determined?

Historic water losses in the culinary system have been quantified by taking the difference of the metered flow from sources into the system and the overall retail use. The most recent data for 2021 for the City's culinary system, published on the Utah Division of Water Rights website, show a loss of 12.3%, with slightly higher values in earlier years (20.3% in 2019 and 16.4% in 2020). Based on these historic loss values the estimated 12.5% water use savings appears to be an accurate and reasonable estimate.

c. For installing end-user water service meters, e.g., for a residential or commercial building unit., refer to studies in the region or in the applicant's service area that are relevant to water use patterns and the potential for reducing such use. In the absence of such studies, please explain in detail how expected water use reductions have been estimated and the basis for the estimations.

The Utah Division of Water Resources Outdoor Water Guide notes that a typical Utah household will use twice as much water than is needed for irrigation, which creates a significant volume of water that can be conserved. AMI will be a valuable tool to assist users in their conservation efforts by providing detailed water use data. Users will actively be able to monitor when large volumes of

unnecessary water are used, giving them the opportunity to adjust their usage behavior. AMI can be particularly useful in this regard because conservation strategies and watering advice advertised directly to the user via the AMI customer interface.

d. What types (manufacturer and model) of devices will be installed and what quantity of each?

As noted previously, prior to installation, an evaluation and availability of the best possible equipment will be completed by the City. It is anticipated that Master Meter Sonata meters will be installed on all connections. The project will ultimately consist of installation of approximately (3,646) 3/4" meters, (15) 6" meters, (13) 8" meters, (2) 10" meters and (1) 12" meter.

e. How will actual water savings be verified upon completion of the project?

Actual water savings will be verified upon completion of the Project by comparison of the total metered use data with AMI technology to historic data with no AMI technology. If weather is significantly different between years, evapotranspiration rates can be used to normalize data. Comparing historical water use to use after full implementation of the meter project will more accurately depict what impact the installation of individual meters has on the entire system.

Evaluation Criterion B: Renewable Energy

Describe any energy efficiencies that are expected to result from implementation of the water conservation or water efficiency project.

Due to the anticipated water conservation, the culinary existing system will be required to pump a reduced volume of water (approximately a 690 acre-feet reduction) from the existing City springs and wells. As the conservation efforts will be over the entire extent of the City, served from various wells and pump stations, all with different pumping characteristics it is estimated that there will be an annual energy consumption reduction of approximately 215,000 kW-hours. This estimate of energy reduction doesn't not include any water treatment measures.

Evaluation Criterion C: Sustainability Benefits

The proposed project will increase the City of Hurricane's drought resiliency. As discussed previously, it is anticipated that culinary use be reduced by 15%. The City has completed a Drought Contingency Plan which identifies AMI technology as a strategy to mitigate the impacts of drought. The AMI meters will assist every user in their efforts to conserve and also allow the City to more efficiently restrict use during drought events, by monitoring real time water usage.

Fish and wildlife are indirectly benefited by the installation of AMI. With the anticipated reduction in water use, more water will remain in the native watercourses. This will sustain needed flows for species dependent upon the aquatic and riparian zones around the Ash Creek and Virgin River drainages. Specific species of concern in these drainages include the Virgin River Chub and Woundfin Minnow, both of which are Federally listed as endangered.

Evaluation Criterion D: Complementing On-Farm Irrigation Improvements

This project only includes AMI installation and does not have any element of on-farm irrigation improvements eligible for NRCS financial assistance.

Evaluation Criterion E: Planning and Implementation

Project Planning

The City of Hurricane has a water conservation plan that was implemented in 1999 and has typically been updated every five years with the latest update in 2020. As previously mentioned, the City also has a Drought Contingency Plan. This plan allows the City to develop better understanding of the impact of drought and strategies to plan for sustainable water demands and water supplies as they continue to change. Within the Drought Contingency Plan, water conservation is an important action in mitigating the effects of future droughts. With conservation being the key, AMI permits the City to more actively monitor culinary water use during times of drought, which they are currently unable to do.

The City also maintains a water conservation website to provide conservation measures to its residents: <https://www.cityofhurricane.com/200/Water-Conservation>

The proposed AMI project will provide the City of Hurricane the ability to extend its culinary water supply based on the projected growth of the City, with the ongoing concerns of limited supply of available water in Washington County. In addition, this project is a direct solution to water conservation efforts as listed in the City's water conservation plan.

Readiness to Proceed

The City of Hurricane's AMI project is fully capable of proceeding immediately upon entering into a financial assistance agreement. Upon receipt of project funds, the City will immediately purchase and begin installing the meters.

Evaluation Criterion F: Collaboration

By decreasing the demand on the region's water system this project will help increase the reliability of the water systems in the regional area. It is likely that the success of the installation of AMI in the City of Hurricane will be noticed by neighboring municipalities, leading to action to implement them on a regional basis. Collaboration among municipalities will help encourage users to be wise about monitoring their own usage and mindful of local water supplies.

Evaluation Criterion G: Additional Non-Federal Funding

The project will be made possible by 53% non-federal funding from the City.

$$\frac{\$564,905.55 \text{ (Non – Federal Funds)}}{\$1,064,905.55 \text{ (Total Project)}} = 53\%$$

Evaluation Criterion H: Nexus to Reclamation

This project is not directly connected to a Reclamation project. However, the implementation of AMI is in line with several priorities of the Bureau of Reclamation. Specifically, the projects will increase water supply and will provide an additional measure for drought resiliency for the City of Hurricane.

Performance Measures

Actual water savings will be verified upon completion of the Project by comparison of the total metered use data with AMI technology to historic data with no AMI technology. If weather is significantly different between years, evapotranspiration rates can be used to normalize data. Comparing historical water use to use after full implementation of the meter project will more accurately depict what impact the installation of individual meters has on the entire system.

Project Budget

Budget Proposal and Funding Plan

The preliminary engineer's opinion of probable cost for the City of Hurricane AMI installation is \$1,064,905.55 (see Table 2 below), which includes the typical residential connections and larger source and monitoring meters. As the City is applying for a Funding Group I Project, the City of Hurricane is requesting \$500,000, for the project. The proposed breakdown of all funding sources is shown in Table 3. The additional required funds for the project will be provided by the City as budgeting allows. In an effort to reduce cost, the City plans to utilize the City Water Department's staff to install the new meters.

Table 2. Total Project Cost

Item	Description	Quantity	Unit	Unit Price	Total Price
1	Furnish ¾" Meter	3,646	Each	\$250.00	\$911,500.00
2	Furnish 6" Meter	15	Each	\$3,780.00	\$56,700.00
3	Furnish 8" Meter	13	Each	\$4,515.00	\$58,695.00
4	Furnish 10" Meter	2	Each	\$8,252	\$16,504.00
5	Furnish 12" Meter	1	Each	\$10,438	\$10,438.00
6	Furnish AMI Meter Encoder Module	31	Each	\$357.05	\$11,068.55
Total					\$1,064,905.55

Table 3. Summary of Non-Federal and Federal Funding Sources

FUNDING SOURCE	AMOUNT
Non-Federal Entities	
1. City of Hurricane	\$564,905.55
Non-Federal Subtotal	\$564,905.55
REQUESTED RECLAMATION FUNDING (Current Phase 1)	\$500,000.00
Total	\$1,064,905.55

Budget Narrative

The budget narrative for the project is provided below. Form SF-424A (Budget Information) further summarizes anticipated costs for this project

Salaries and Wages

No salaries or wages for City of Hurricane personnel will be paid with funds from this project. All time from the City of Hurricane staff will be over and above the cost of the project and will not be counted toward the project cost.

Fringe Benefits

No fringe benefits will be paid with funds from this project.

Travel

No travel of City personnel will be compensated using funds from this project.

Equipment

The City will not purchase, lease, or rent equipment using funds from this project.

Materials and Supplies

All AMI materials will be purchased as part of the project and documented as required.

Contractual

All meter installation will be completed by staff from the City's Water Department.

Third-Party In-Kind Contributions

No third-party in-kind contributions will be included in this project.

Environmental and Regulator Compliance Costs

Costs for environmental and regulatory compliance are anticipated to be negligible as the work will be on existing irrigation lines in previously disturbed areas within the City of Hurricane.

Other Expenses

No other expenses are anticipated to be included in this project.

Indirect Costs

No indirect costs are anticipated.

Environmental and Cultural Resources Considerations

The following are responses (*in italics*) to the questions (**in bold**) posed in Section H.1 of the NOFO:

1. **Will the project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.** *As the entire project takes place on previously disturbed ground, in existing culinary meter boxes, the overall impact on the environment will be negligible.*
2. **Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?** *The Utah Division of Wildlife Resources - Conservation Data Center (CDC) has compiled an interactive map that identifies sighting of threatened, endangered, and sensitive species. The map indicates that there have been sightings of nine (9) such species, although the project area has not been designated as critical*

habitat for any of the species. It is not anticipated that the proposed project impose any adverse impact on these species. These nine (9) species are:

- Zebra-Tailed Lizard: Utah Sensitive Species List*
- Siler Pincushion Cactus: Federally listed threatened species*
- Gila Monster: Utah Sensitive Species List*
- Mojave Desert Tortoise: Federally listed threatened species*
- Allen's Big-Eared Bat: Utah Sensitive Species List*
- Burrowing Owl: Utah Sensitive Species List*
- Sidewinder: Utah Sensitive Species List*
- Arizona Toad: Utah Sensitive Species List*
- Western Banded Gecko: Utah Sensitive Species List*

- 3. Are there wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as “waters of the United States?” If so, please describe and estimate any impacts the project may have.** *The installation of new AMI will not be near any wetlands or other surface waters.*
- 4. When was the water delivery system constructed?** *Various portions of the existing culinary system have been installed as required by growth. In new subdivisions the installation is ongoing. Other portions of the system were originally construction before the 1950s.*
- 5. Will the project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.** *The project will not result in any modifications to individual features of the existing irrigation system. It will only add AMI at each culinary connection.*
- 6. Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.** *The Hurricane Historic District is located within the extent of the culinary service area. The proposed installation of AMI will have no impact to the structures in the area.*

7. **Are there any known archeological sites in the proposed project area?** *There are currently no known archeological sites in the proposed project area. Should cultural resources be encountered during the project, further coordination will be initiated with the State Historical Preservation Office as needed.*
8. **Will the project have a disproportionately high and adverse effect on low income or minority populations?** *No, the project will benefit all residents and visitors to the City of Hurricane.*
9. **Will the project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?** *The project will have no effect on sacred sites or tribal land, as no such sites or land exists near the proposed project.*
10. **Will the project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?** *It is not anticipated that the project will have any effect on existing noxious weeds or non-native invasive species. The opposite is expected as less runoff from excess lawn watering will be available to noxious weeds.*

Required Permits and Approvals

It is not anticipated that the installation of the AMI will require any permits or other approvals. If additional requirements are identified upon award, they will be addressed accordingly.

Overlap or Duplication of Efforts Statement

There is no overlap between the proposed project and other anticipated proposals. The proposal submitted for consideration under this program does not duplicate any proposal or project that has been or will be submitted for funding consideration to any other potential funding source.

Conflict of Interest Disclosure Statement

There are no conflicts of interest related to this project.

Uniform Audit Reporting Statement

The City of Hurricane submitted a Single Audit report for the year ended June 30, 2021. The Employer Identification Number associated with this report is 876112106 and is available through the Federal Audit Clearinghouse Website.

Drought Contingency Plan

The City of Hurricane has developed a Drought Contingency Plan which is included in Appendix B.

Letters of Project Support

A letter of project support from the Water Superintendent at the City of Hurricane is included in Appendix C.

Official Resolution

An unsigned copy of the Official Resolution is included in Appendix C. It is anticipated that the resolution be discussed and signed at the City of Hurricane City Council Meetings during the month of August 2022. A signed copy of the form will be emailed to sha-dro-fafoa@usbr.gov.

Appendix A – Figures

City of Hurricane Culinary Water Service Area

Appendix B – City of Hurricane Drought Contingency Plan

City of Hurricane
2021 Drought Contingency Plan

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Drought Alert Stages	4
Section V - Conclusion	4

Section I - Introduction

Hurricane City is located in Washington County, Utah, between the City of St. George and Zion National Park. According to the 2019 Census¹, the City had a population of 19,074. Although there has been considerable growth, and a continued average growth rate at over 5%, the area has maintained its rural character. Just off Interstate-15, along State Route 9, Hurricane City is situated near several State and National Parks and other recreation areas. Due to its location, much of the economy is driven by tourism and recreation, and the area is considered locally as the “Gateway to the Parks”.

Geographically, Hurricane City is situated in the northeast portion of the Mojave Desert and is uniquely located along the eastern edge of the Basin and Range and western side of the Colorado Plateau physiogeographic provinces. At an elevation of approximately 3,250 feet, the region receives approximately 8.25 inches of rainfall annually, with most of the precipitation falling in January and a mild monsoon season in late July and August. Summers are typically hot and dry, with daytime temperatures reaching above 100 degrees and nighttime temperatures around 70 degrees. Winters are mild, with temperatures ranging from between 30 degrees to 60 degrees.

Southern Utah frequently experiences seasons of drought, straining available water resources and creating water shortages. Currently, Washington County is classified by drought monitors as experiencing moderate to severe drought. Hurricane City has often felt the impacts of water shortages due to prolonged drought. While Hurricane City, Washington County and surrounding municipalities have been successful in creating water conservation plans, decreasing per capita consumption of water by 30% between 2000 and 2018, the prolonged drought, continued population growth and increased tourism in Southern Utah requires the continued development of new water resources to meet not only the growing day to day demand but also continuous seasons of drought in the area.

Hurricane City currently receives water from a combination of surface and groundwater water rights. As surface water rights in the Virgin River basin have all been previously allocated, to obtain additional water to meet the demands for drought resilience, groundwater water rights must be obtained, and wells drilled. Since the availability of surface water is limited, construction of new wells is a primary goal, to increase the reliability of source water for Hurricane City, improving the City’s resilience during drought by adding flexibility to water management options by providing an alternate water source.

Section II - Purpose

The purpose of this Drought Contingency Plan is to establish a proactive and efficient way for the City of Hurricane to initiate action in an emergency drought situation.

¹ <https://www.census.gov/quickfacts/hurricanecityutah>

Section III - Drought Identification

Drought can be defined in many ways and from many different perspectives. One simple definition for drought from, “Drought-Ready Communities A Guide to Community Drought Preparedness²” defines drought simply as, “a period of excessive dryness long or intense enough to affect agriculture, habitat, or people.” Because drought happens typically over long periods of time with moderate to severe impacts, it is essential that a Drought Contingency Plan be prepared in the case of a drought situation.

Utah commonly has counties that suffer due to drought with recent years being no exception. Currently the entire state of Utah is in severe, extreme, or exceptional drought conditions as shown by Drought Monitor³. The City of Hurricane currently falls under severe drought conditions along with most of southwestern Utah. The City of Hurricane monitors their current sources and use of water and is continuing to update monitoring systems to improve water data. The city also works with other local agencies such as the Washington County Water Conservancy District to monitor other local waters such as Sand Hollow Reservoir and Quail Creek Reservoir to coordinate the use of these surface water bodies.

With Hurricane City located in a desert climate, drought is not typically a question of when, but how severe. As southern Utah continues to grow in popularity and population more water is needed not only for daily use, but more is needed for drought preparation. Hurricane City currently has plans to update and extend current vital water infrastructure to prepare for growing drought conditions in the area.

Section IV - Emergency Drought Action

For emergency drought action to be initiated, the Hurricane City Water/Irrigation Department will monitor and analyze water levels and data to determine the level of emergency drought action to be taken in times of drought. This information will be coordinated with the City Council to determine steps to be taken and how to properly notify citizens of circumstances and changes being made. All actions are dependent on current water levels and severity of drought in the City. Emergency Drought Actions may be one or more of the following:

- Citizens are required to follow watering restrictions, which may change as system water levels increase or decrease.
- Monitoring compliance of following watering restrictions and notifying and/or assessing fines according to the level of non-compliance.
- The City may be required to avoid flushing water mains unless required for public safety.
- Any unnecessary watering may be prohibited.
- The City will provide all needed personnel in the event of a line break to stop the loss of water and repair the line as soon as possible to minimize water loss.

² <https://drought.unl.edu>

³ <https://droughtmonitor.unl.edu/CurrentMap/StateDroughtMonitor.aspx>

- Use of water to wash motor vehicles, motorbikes, boats, trailers, or other vehicles may become prohibited.
- Filling, refilling, or adding water to pools or jacuzzi-type pools may be prohibited.
- A moratorium on building or adding any structures or features requiring water may be introduced.

This is not an all-inclusive list of action items that may take place and this list will be updated and changed as the City of Hurricane sees fit.

Hurricane City also currently has in place a “Hurricane City Water Management and Conservation Plan” that also aides in preparation for emergency drought conditions. This document includes information on practices and their implementation that the City has defined to help conserve water in the area. This information will continually be available and encouraged for citizens to review and implement. Any of the action items included in this document may also be implemented as Emergency Drought Action items as the City sees fit. Regardless of the current drought situation the city strongly encourages citizens to review and implement information in this document into their daily water use practices to conserve water due to living in a desert climate.

The City of Hurricane Water Department has also implemented the following tools to assist with monitoring water use and extend resources during drought conditions.

1. AMI (Advanced Metering Infrastructure). Hurricane City has already installed an AMI meter reading system. This infrastructure allows the City to send real time, 24-hour, leak alarms to its customers in text and email form. Excessive use notifications can also be delivered. For example, if a resident has a leak or break in their outdoor irrigation system, a notification would be sent along the resident to fix the issue, that may otherwise go unnoticed. This system is a great tool, especially during drought conditions. The City has currently installed approximately half of the required 4G meters and plans to install the other half in the next years.
2. SCADA (Supervisory Control and Data Acquisition). SCADA is an automated electronic monitoring system that allows the City to view water tank levels, start and stop source flows, turn pump booster stations on and off, monitor spring and wells flows and send alarms if anything isn’t working correctly. With this system in place, the City has another valuable tool to monitor and control water, especially during drought conditions.
3. GIS (Geographic Information System). Hurricane City maintains an up-to-date GIS that is utilized daily by the City’s Water Department. It shows all water sources, transmission lines, distribution and service lines throughout the City’s water system. Water operators can quickly review this mapped spatial data and decide during a water break the fastest way to shut down a water leak that effects the least number of customers while the repair is completed. This is another valuable tool that is especially useful during drought conditions.

Drought Alert Stages

Defining the Drought Alert Stages will help in prioritizing activities and speeding response time to implement the Emergency Drought Actions. The classification of the emergency will be the decision of the Hurricane City Water Department coordinated with the City Council. Members of the Water Board, City Council or employees will be designated as part of the emergency response team to provide additional help and support as required. The stages will be classified as follows:

Stage 1- This stage is implemented when the city water supply possibly will not meet all the water demands of its customers. This stage is developed to raise awareness and invoke voluntary citizen reduction measures with Hurricane City leading by example. The City will increase awareness of circumstances by reaching out to the public and providing all information to ensure that customers realize growing drought conditions and the need for compliance in water use reduction.

Stage 2- This stage is implemented when the probability exists that water supply will not be able to meet all the demands of customers. In this stage the Hurricane City Water Department will monitor the water supply daily and meet with the City Council to determine level of water reduction to customers, which may include one or more of the Emergency Drought Actions listed in this document, or other actions not specifically included in this document. At this stage water waste violations may be introduced that may result in warnings, fines, or other forms of disciplinary action. This stage also includes all implementations included in Stage 1.

Stage 3- This stage is implemented when the water supply will not meet all the demands of customers. All implementations from Stage 1 and Stage 2 will still be upheld. In this stage multiple Emergency Drought Actions will be implemented and monitored throughout the system. The Hurricane City Water Department and City Council will review supplies and make necessary adjustments to water demand reduction strategies.

Stage 4- This stage is implemented when water supply levels have dropped to an emergency state. All implementations from previous stages will be upheld and an emergency city council meeting will be held with the Hurricane City Water Department to assess the water level and define acceptable water usage at this point. No unnecessary outdoor irrigation will be allowed during this stage. Multiple or all the Emergency Drought Actions may be taken during this stage along with any other actions the city sees fit.

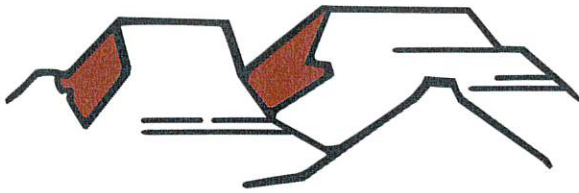
Section V - Conclusion

Hurricane City will continue to educate citizens, develop better data collection, and invest in vital infrastructure to improve water conservation in times of emergency drought. The success of this Drought Contingency Plan is dependent upon cooperation from every citizen, business, or other entities that are located within Hurricane City. Hurricane City will continue to update and develop this document as data, infrastructure, circumstances change or as they see fit.

Appendix C – Support Documents

Letter of Support

Official Resolution



WATER HURRICANE CITY UTAH

Ken Richins, Superintendent

Bureau of Reclamation
Attn: NOFO Team
Denver Federal Center
Bldg. 67, Rm. 152
6th Avenue and Kipling Street
Denver, CO 80225

Dear NOFO Team:

This letter of support is to encourage the funding of the City of Hurricane's Advanced Metering Infrastructure (AMI) Project. One of the most precious resources in a desert climate is water. Our city is experiencing an increased demand to meet the needs of residents, businesses, facilities, and the local economy existing in such a dry climate. The installation of AMI will significantly increase culinary conservation, to build drought resiliency, while also reducing the City's pumping costs.

For the City of Hurricane to increase its conservation measures, while continuing to provide clean and reliable culinary and secondary water to its citizens and to meet the demands of drought that the area commonly sees, it is crucial this AMI be installed. If funded, the project will be able to immediately begin. We thank you for your consideration of this funding application.

Please contact me at (435) 635-9442 with any questions regarding this application.

Sincerely,

Ken Richins, Water Department Superintendent
Hurricane City

OFFICIAL RESOLUTION

Presented at the Hurricane City Council Meeting on August 18, 2022, to the City of Hurricane,

IN THE MATTER OF THE PROPOSED)
WATERSMART GRANT NO. R23AS00008)
TO IMPROVE CULINARY WATER CONSERVATION FOR)
HURRICANE CITY IN WASHINGTON COUNTY, UTAH)

WHEREAS, the Hurricane City Council was created to establish the overall policy direction for Hurricane City and is responsible for adopting City budgets; and

WHEREAS, the City of Hurricane recognizes the need to increase drought resiliency and conserve water and use it more efficiently to provide for the needs of the City's growing population;

NOW, THEREFORE, LET IT BE RESOLVED by the Hurricane City Council that:

- A) Hurricane City is in full support of and commits to the financial and legal obligations associated with the receipt of financial assistance supplied through the WaterSMART Grant identified as Funding Opportunity Announcement No. R23AS00008, such as proposed budget narratives, final performance reports, adhering to Federal, state, and local laws and regulations; and
- B) Hurricane City desires to receive a Federal grant for up to \$500,000, for the initial phase, of the estimated \$1.06 million Advanced Metering Infrastructure (AMI) Project; and
- C) If selected for the WaterSMART Grant, the City will work with the Bureau of Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

DATED this 18th day of August, 2022

Nanette Billings, Mayor
City of Hurricane

Presented at the Hurricane City Council Meeting on August 18, 2022, to Hurricane City,

IN THE MATTER OF THE PROPOSED)
WATERSMART GRANT NO. R23AS00008)
TO IMPROVE CULINARY WATER CONSERVATION FOR)
HURRICANE CITY IN WASHINGTON COUNTY, UTAH)

WHEREAS, the Hurricane City Council was created to establish the overall policy direction for Hurricane City and is responsible for adopting City budgets; and

WHEREAS, Hurricane City recognizes the need to increase drought resiliency and conserve water and use it more efficiently to provide for the needs of the City's growing population;

NOW, THEREFORE, LET IT BE RESOLVED by the Hurricane City Council that:

- A) Hurricane City is in full support of and commits to the financial and legal obligations associated with the receipt of financial assistance supplied through the WaterSMART Grant identified as Funding Opportunity Announcement No. R23AS00008, such as proposed budget narratives, final performance reports, adhering to Federal, state, and local laws and regulations; and
- B) Hurricane City desires to receive a Federal grant for up to \$500,000, for the initial phase, of the estimated \$1.06 million Advanced Metering Infrastructure (AMI) Project; and
- C) If selected for the WaterSMART Grant, the City will work with the Bureau of Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

DATED this 18th day of August, 2022

Nanette Billings, Mayor

ATTEST:

Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 18th day of August, 2022. Whereupon a motion to adopt and approve

said Resolution was made by _____ and seconded by
_____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	___	___	___	___
Dave Sanders	___	___	___	___
David Hirschi	___	___	___	___
Kevin Thomas	___	___	___	___
Doug Heideman	___	___	___	___

Cindy Beteag, Recorder

Packet for City Council Water Smart Grant to complete our water meter purchase for AMI (automated meter infrastructure)

Hurricane City applied for a Water Smart grant to complete the installation of the AMI meters.

Budget Proposal and Funding Plan

The preliminary engineer's opinion of probable cost for the City of Hurricane AMI installation is \$1,064,905.55 (see Table 2 below), which includes the typical residential connections and larger source and monitoring meters. As the City is applying for a Funding Group I Project, the City of Hurricane is requesting \$500,000, for the project. The proposed breakdown of all funding sources is shown in Table 3. The additional required funds for the project will be provided by the City as budgeting allows. In an effort to reduce cost, the city plans to utilize the City Water Department's staff to install the new meters.

Table 2. Total Project Cost

Item	Description	Quantity	Unit	Unit Price	Total Price
1	Furnish ¾" Meter	3,646	Each	\$250.00	\$911,500.00
2	Furnish 6" Meter	15	Each	\$3,780.00	\$56,700.00
3	Furnish 8" Meter	13	Each	\$4,515.00	\$58,695.00
4	Furnish 10" Meter	2	Each	\$8,252	\$16,504.00
5	Furnish 12" Meter	1	Each	\$10,438	\$10,438.00
6	Furnish AMI Meter Encoder Module	31	Each	\$357.05	\$11,068.55
Total					\$1,064,905.55

As part of our Grant Application, it is required that the City Council pass a resolution acknowledging they support the city completing the AMI meter installation.

Currently we are installing \$222,895 of new meters per year. We are also changing out \$161,110 registers. Our 2023 budget sets aside \$384,005 for meter replacement. If we receive this grant our matching funds portion can easily come out of the water budget if the project spans over two years.

PRELIMINARY PLAT APPLICATION

City of Hurricane
147 North 870 West
Hurricane, UT 84737
(435) 635-2811
FAX (435) 635-2184

Fee: \$150.00

For Office Use Only:
File No. 2022-PP-10
Receipt No. 8156148

Name: JOSE LYON / WASATCH GROUP Telephone: 435-703-5102

Address: 1820 W PRINTERS ROW Fax No. _____

Email: JLYON@WASATCHES.COM Agent Email: ROBRE@LACIVIL.COM

Agent (If Applicable): ROSENBERG ENG. (ROB) Telephone: 435-680-7343

Address/Location of Subject Property: BLACK RIDGE PHASE 1A
(FORMER COLINA TINTA)

Tax ID of Subject Property: H-3-Z-4-44021 Zone District: MDA

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) SINGLE FAMILY

RESIDENTIAL 93 LOTS OVER 3 PHASES BETWEEN SCENIC POINT AND
INTERSTATE/RE PENGA PROPERTY

Submittal Requirements: The preliminary plat application shall provide the following:

1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
 - ☒ a. The proposed name of the subdivision.
 - ☒ b. The location of the subdivision, including the address and section, township and range.
 - ☒ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ☒ d. Date of preparation, and north point.
 - ☒ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
2. Existing Conditions: The preliminary plat shall show:
 - ☒ a. The location of the nearest monument.
 - ☒ b. The boundary of the proposed subdivision and the acreage included.
 - ☒ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ☒ d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ☒ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries. None
 - ☒ f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

LETTER OF TRANSMITTAL

SHIPPING INSTRUCTIONS:

☐ Fax	☐ Overnight
☒ Hand Deliver	☐ First Class
☐ Will Pick up	

DATE: February 28, 2022

TO: ***City of Hurricane***
Stephen Nelson
Planning Director
147 N 870 W
Hurricane, UT 84737

FROM: ***Rosenberg Associates***
Rob Reid
352 East Riverside Dr. Suite A-2
St. George, UT 84790

PROJECT: Black Ridge Phase 1

TRANSMITTED HERewith:

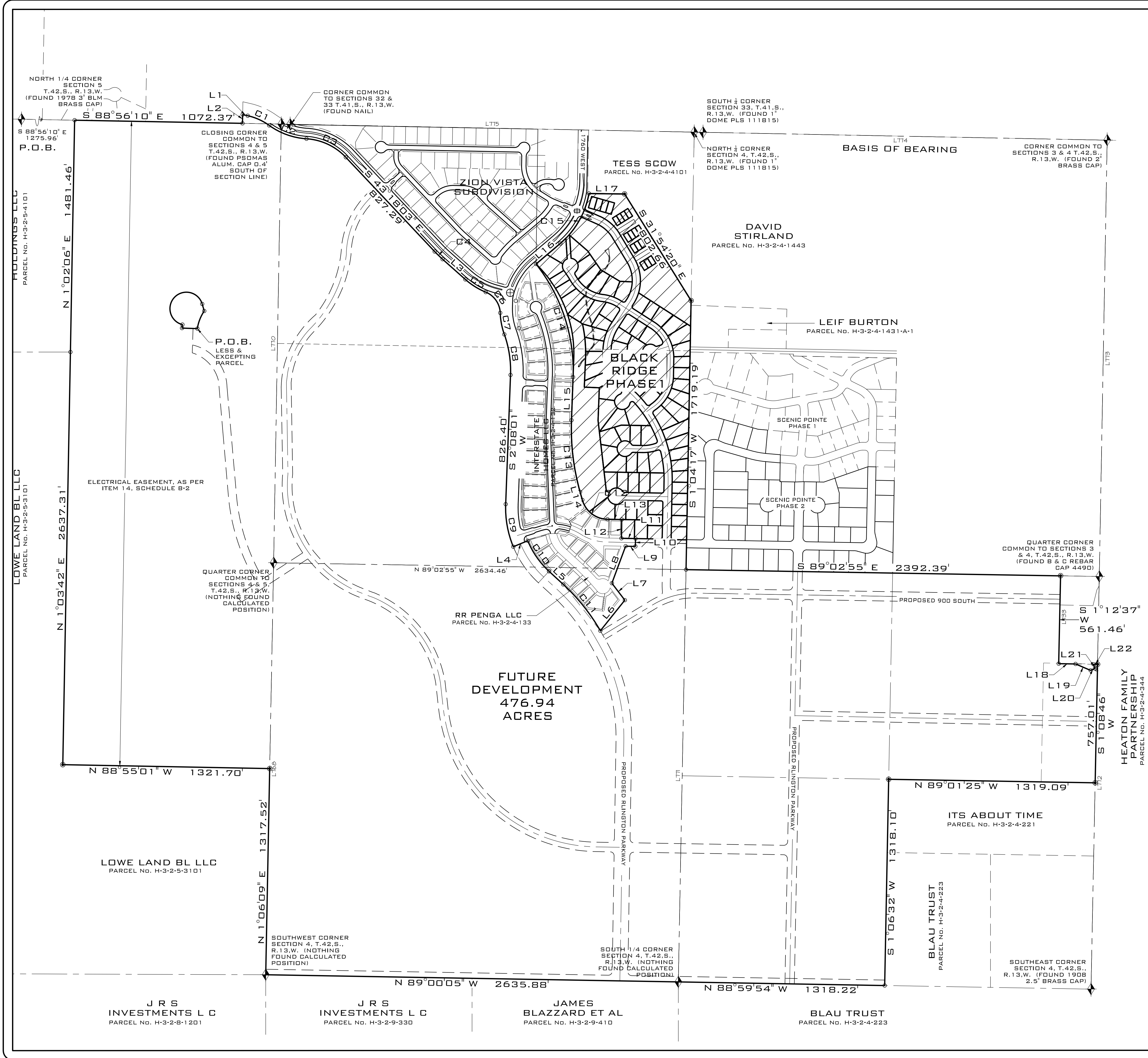
☐ Improvement Plans	☐ Engineering Reports
☒ Preliminary sketches	☐ Cost Estimates
☐ Final Plat	☐ Final Site Plan Review

ADDITIONAL COMMENTS OR INSTRUCTIONS:

Stephen,

Included with this letter is the Preliminary Plat submittal package including:

1. Preliminary plat application
2. \$150 check to Hurricane City for application fee.
3. Geotech report
4. Title report
5. 3 copies of the preliminary plat on 24"X36"
6. 1 copy of the preliminary plat on 8.5"X11"



BLACK RIDGE PHASES 1A-1D

LOCATED IN THE N.E. 1/4 & S.E. 1/4
OF SECTION 5, AND THE N.W.,
S.W., & S.E. 1/4 OF SECTION 4
T.42S., R.13W., S.L.B.&M.

OWNER/DEVELOPER/CONTACT

THE DEVELOPER FOR THIS PROJECT IS
WASATCH COMMERCIAL BUILDERS
CONTACT: SCOTT OVERMAN
1820 WEST PRINTERS ROW
WEST VALLEY CITY, UTAH 84114 (801) 961-1142 (OFFICE)

PROJECT ENGINEER

THE ENGINEER FOR THIS PROJECT IS:
ROSENBERG ASSOCIATES
CONTACT: ROBERT A. REID, P.E.
352 EAST RIVERSIDE DRIVE, SUITE A2
ST. GEORGE, UTAH 84790 (435) 673-8586

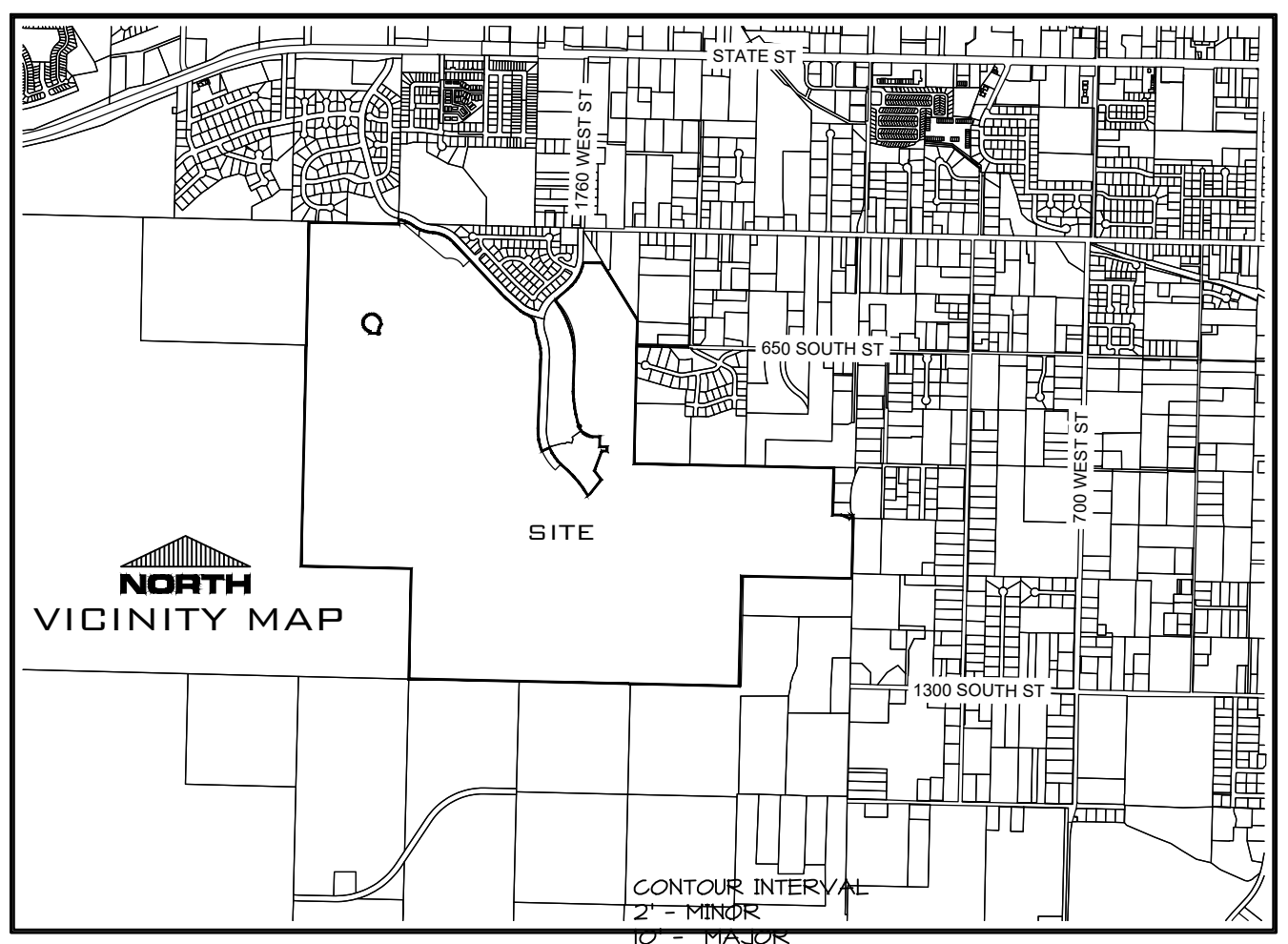
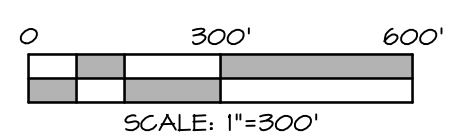
SITE INFORMATION: PHASE-1A

CURRENT ZONE: PD OVERLAY
TOTAL AREA: 34.61 AC
TOTAL LOTS: 84 SINGLE FAMILY, 20 MULTIFAMILY
TOTAL OPEN SPACE AREA: 8.8 AC = 25.43%
TOTAL PUBLIC STREET AREA: 5.98 AC = 17.28%
TOTAL LOTS (104) AREA: 19.38 AC = 57.30%

DRAINAGE NOTES

ALL LOT ROOF DRAINS AND SURFACE DRAINAGE TO BE DIRECTED TO THE FRONT OF LOTS AND PROPOSED STREET IMPROVEMENTS. ALL ON-SITE SURFACE DRAINAGE WILL BE DIRECTED TO THE EXISTING RETENTION BASINS ALONG 1160 WEST.

- LEGEND:**
- EXISTING POWER POLE
 - NOTHING SET OR FOUND
 - FOUND AS NOTED
 - EXISTING FENCE LINE
 - FOUND SURVEY CONTROL MONUMENT - CLASS I
 - FOUND SURVEY CONTROL MONUMENT - CLASS II



DATE: 22-07-15
JOB NO.: 12835-21
DESIGNED BY: JTT
CHECKED BY: RAR
DWG: Const DWG

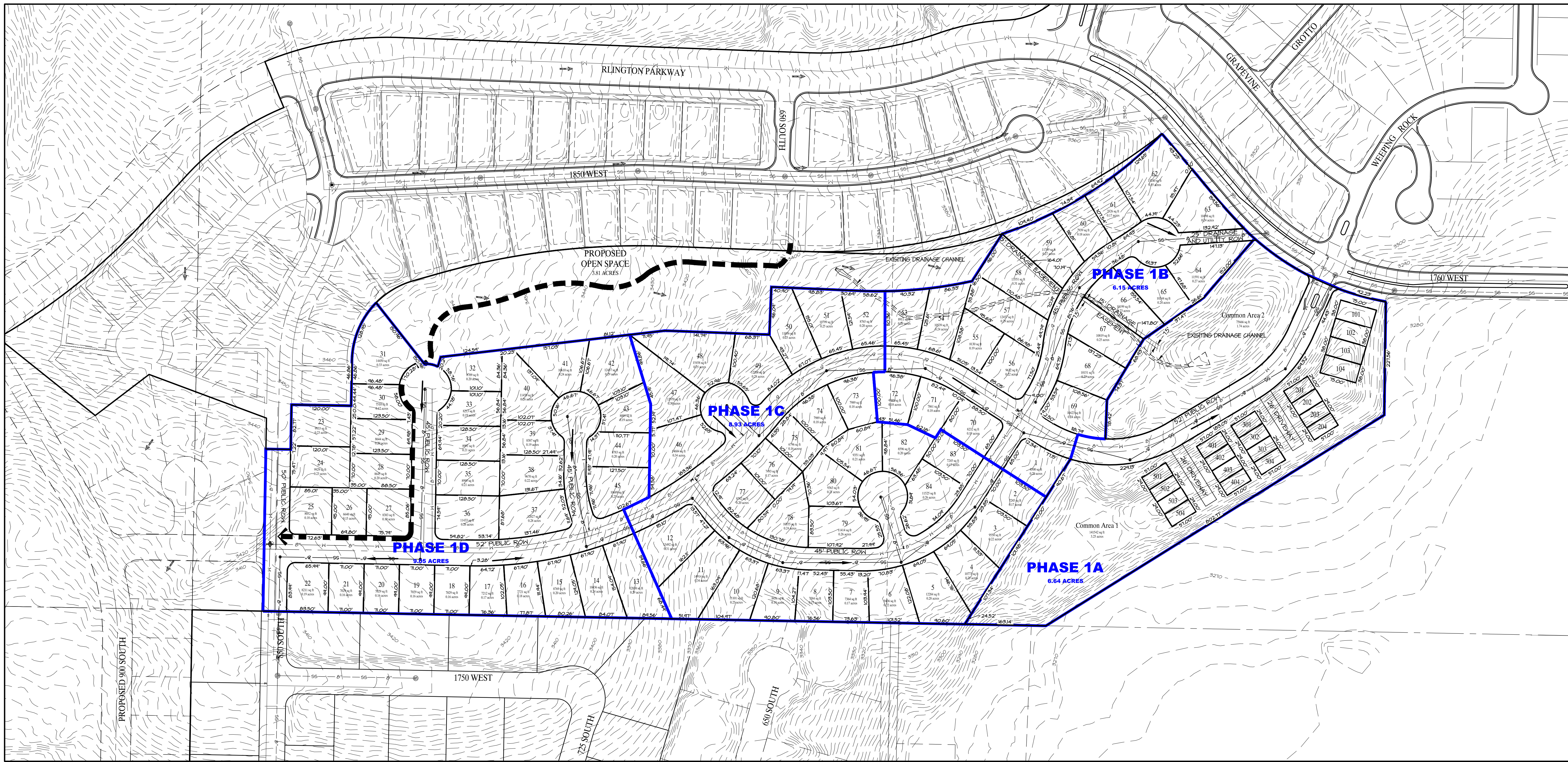
REVISIONS	DATE	DESCRIPTION

ROSENBERG
ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive, Suite A-2
St. George, Utah 84790
Ph (435) 673-8586; Fx (435) 673-8397
www.racivil.com

PRELIMINARY PLAT- COVER SHEET
FOR
BLACK RIDGE PHASES 1A-1D
1700 WEST HURRICANE
WASHINGTON COUNTY, UTAH

SHEET
OF SHEETS



LEGEND		
EXISTING	DESCRIPTION	PROPOSED
---	2' CONTOUR	---
---	10' CONTOUR	---
---	TOP BACK CURB	---
---	FLOWLINE CURB	---
---	WATER LINE (8" DIA.)	---
---	SEWER LINE (8" DIA.)	---
---	DITCH FLOWLINE/DRAINAGE SWALE	---
---	PROPERTY LINE	---
---	R.O.W./EASEMENT LINE	---
---	RETAINING WALL	---
---	TRAIL	---
EXISTING	DESCRIPTION	PROPOSED
⊙	FIRE HYDRANT	⊙
⊕	SEWER MANHOLE	⊕
⊖	SEWER CLEAN OUT	⊖
⊗	WATER VALVE	⊗
⊘	WATER METER	⊘
→	SURFACE FLOW DIRECTION	→
---	STORM DRAIN CURB INLET	---
⊕	STORM DRAIN MANHOLE	⊕

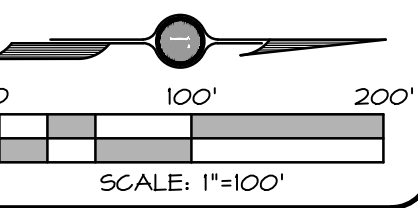
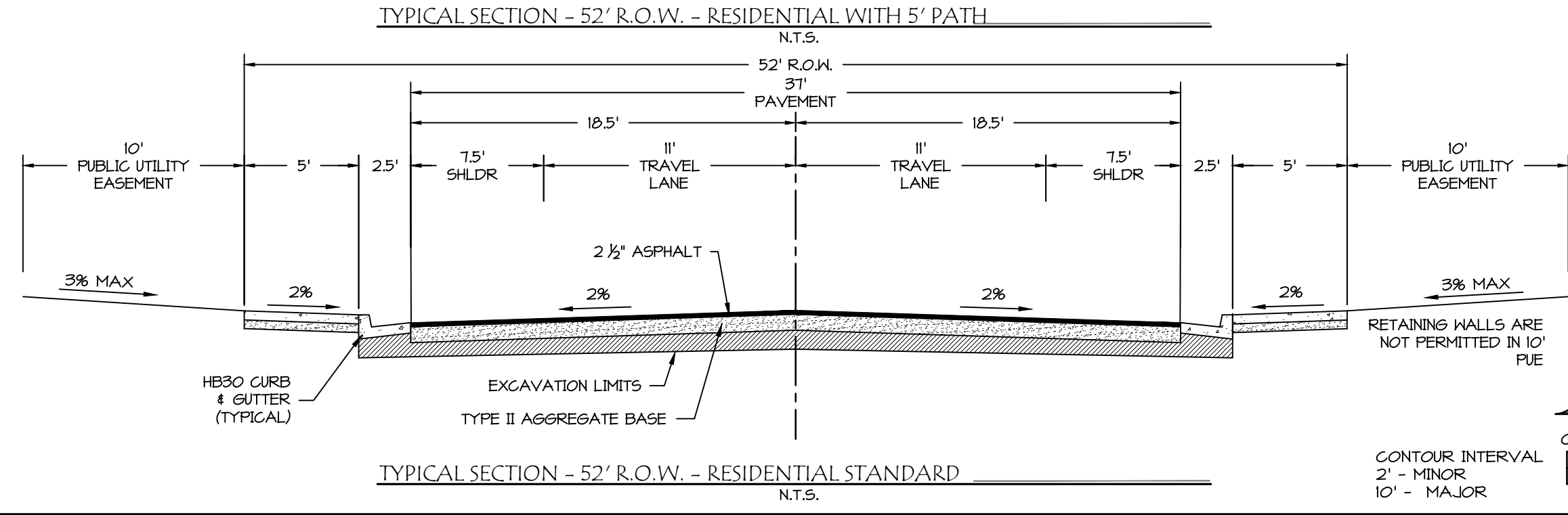
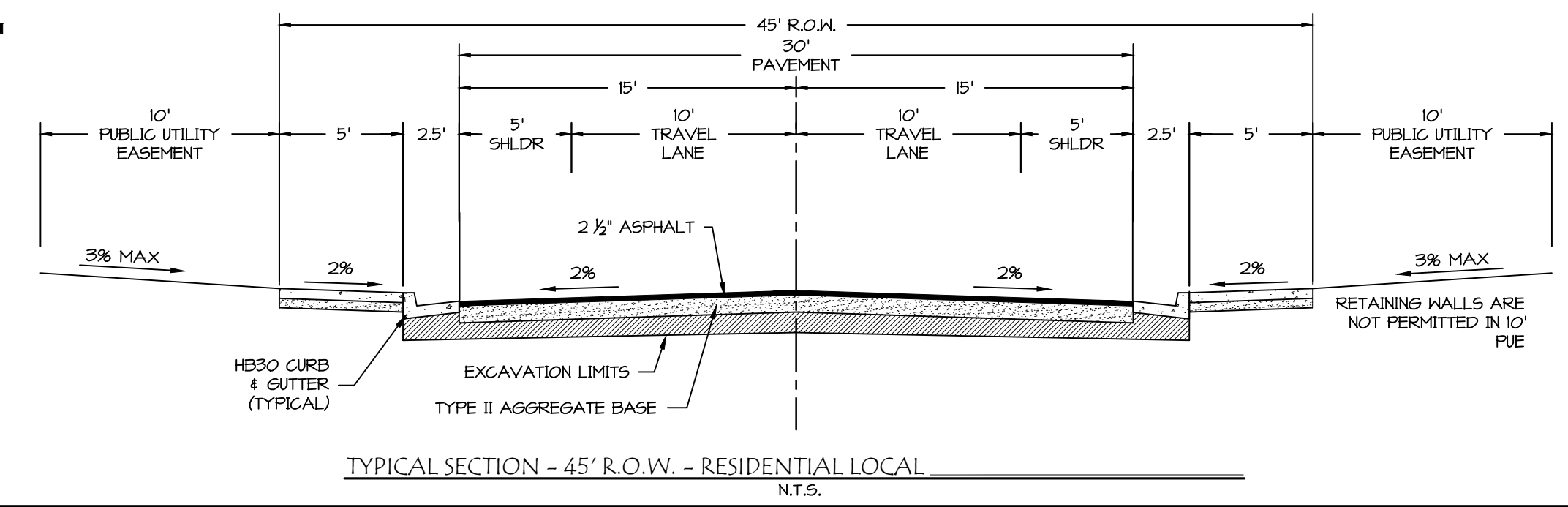
DRAINAGE NOTES

ALL LOT ROOF DRAINS AND SURFACE DRAINAGE TO BE DIRECTED TO THE FRONT OF LOTS AND PROPOSED STREET IMPROVEMENTS.

PLANNED DEVELOPMENT OVERLAY ZONE

SETBACKS:
FRONT: FROM DWELLING:
FROM GARAGE:
REAR:
SIDE:
STREETSIDE:

14' FROM TBG
20' FROM BH
20'
20'
5'



DATE: 22-01-19

JOB NO.: 12835-21

DESIGNED BY: JTT

CHECKED BY: RAR

DWG: CONT DWG

DATE:

REVISIONS:

ROSENBERG

A S S O C I A T E S

CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive, Suite A-2
St. George, Utah 84790
Ph (435) 673-8586 Fx (435) 673-8397
www.rasvll.com

PRELIMINARY PLAT

FOR

BLACK RIDGE PHASES 1A-1D

1760 WEST HURRICANE

WASHINGTON COUNTY, UTAH

SHEET

OF SHEETS

ISSUE DESCRIP.	DATE
	5.19.2022

This drawing, as an instrument of professional service, and shall not be used, in whole or part, for any other project without the written permission of SCOTT THOMAS BLAKE DESIGN L.L.C. Copyright © 2022

Product Type	Units	Acreage	%
Open Space, Amenities, Paths and Parks		100	19.7%
Single Family up to 4 DU/acre lots	120	55	10.8%
Single Family up to 6 DU/acre lots	120	48	9.5%
Single Family up to 8 DU/acre lots	780	208	41.0%
Townhomes up to 10 DU/acre	149	20	3.9%
Multifamily up to 12 DU/acre	200	20	3.9%
Multifamily & Retirement 12+ DU/acre	400	40	7.9%
Commercial	5		1.0%
Major Roadways (66' ROW)	11		2.2%
Allocated units in Grand Canary & Mira Rosa	117		
Total	1886	507	100.0%

PARCEL TYPE	
	OPEN SPACE, AMENITIES, TRAILS AND PARKS
	SINGLE FAMILY - up to 4 DU/acre lots
	SINGLE FAMILY - up to 6 DU/acre lots
	SINGLE FAMILY - up to 8 DU/acre lots
	TOWNHOME - up to 10 DU/acre
	MULTIFAMILY - up to 12 DU/acre
	MULTIFAMILY & RETIREMENT - 12+ DU/acre
	COMMERCIAL
	24/7 OVERNIGHT RENTAL OVERLAY (Maximum 247 Units)
	TRAIL - 10' ASPHALT
	TRAIL - PRIMITIVE

BLACK RIDGE
HURRICANE, UTAH

LAND USE

101

A

LAND USE PLAN
SCALE: 1"=300'-0" NORTH



STAFF COMMENTS

Agenda Date:	08/11/2022
Application Number:	2022-PP-10
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Josh Lyon-Wasatch Group
Agent:	Rosenberg Engineering
Request:	Approval of a Preliminary Plat
Location:	1760 W and Weeping Rock Rd
Zoning:	R1-10 PDO
General Plan Map:	Planned Community

Planning Commission Recommendation

Planning Commission gave a positive recommendation subject to the neighborhood park remaining in the first phase and be reviewed as part of the final site plan, and subject to staff and JUC comments.

Update 8/11/2022: This application was tabled back in March pending the approval of an amended development agreement for the Black Ridge/Collina Tinta PDO, then again in June for an updated design. The amended development agreement has been passed by the City Council and has been signed and should be recorded. Staff recommends continuing this item until staff can do a review on whether this plat complies with the new development agreement.

Discussion:

The applicant has filed a preliminary plat for Phase 1 of Black Ridge, a 104 unit subdivision, with 84 single family units and 20 townhomes. This is part of the Black Ridge Master Planned Community, formerly known as Colina Tinta. The recent approval of the new layout was approved by the City Council, but not all parties have signed the development agreement.



Approved Preliminary Site Plan

JUC Comments

Some of these comments are from earlier submissions

1. **Power:** Best if it is built in the phases as shown. May have to road cut across 1760.
2. **Sewer:** Easement will need to be recorded on the easement. Easement to be all in one lot, not lot splitting.



Approximate location of the proposed development

3. **Water:** Need a looped system. Need a water model for the entire development, not just this phase to plan full buildout. Irrigation will need to be included
4. **Engineering:** Consider directing stormwater around the proposed lots. Avoid utility corridors between private lots. It appears stormwater and sewer can be run eastward in the public right of way. Townhome units are on top of an existing drainage basin; the drainage plan will have to show that it can be removed. Full road dedication and secondary access dedication will be required with phase 1B. Roadway improvements for 1760 W must be constructed. Grading between townhomes and property to the east may limit the number of units due to setbacks from retaining walls.
5. **Street:** Roadways do not meet master plan, Phase 1A and 1B will be able to drain to the line 1C will drain to the south
6. **Fire:** Need second access and sufficient water pressure. Turn around required at deadend for phasing.
7. **Cable:** Good
8. **Gas:** Good.
9. **Water Conservancy:** No comments

Staff Comments: Preliminary Plat

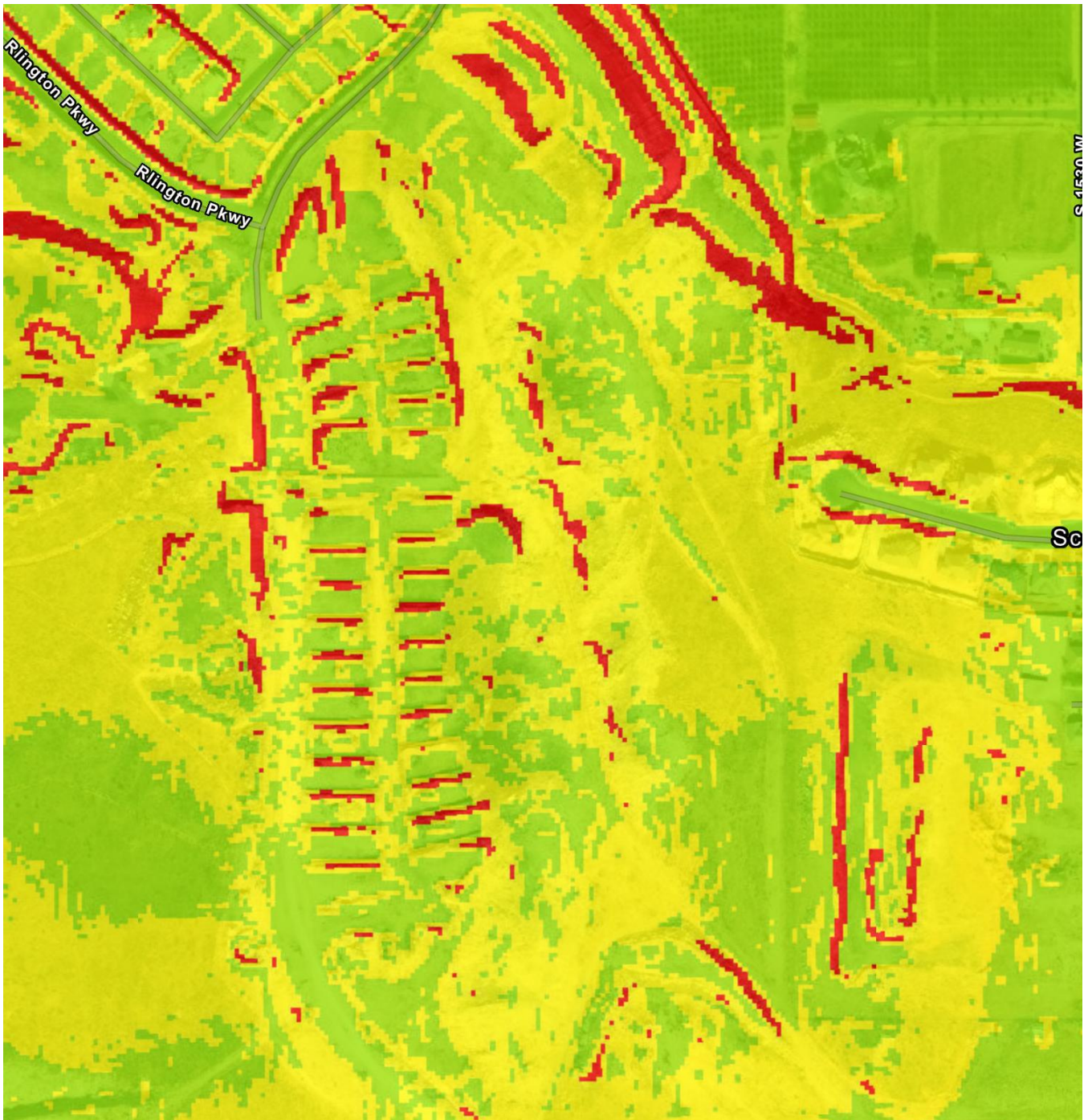
1. The approved site plan has this area labeled as "Single Family up to 6 DU/Ac". The proposal is for around 3 units an acre with a variety of lot sizes from around 7,000 sq. ft. to almost 16,000 sq. ft. The main concern is that the applicant is seeking 20 townhomes within this area. The development agreement does allow some flexibility in placement for certain housing types within different areas based on the density transfer requirements listed below. Staff is not concerned about a change in the local street alignment.
2. Density Transfer: The Development Agreement has the following standards about transferring of density. Each of the following sections are direct quotes from the development agreement.
 - a. *1.6 "Density Transfer" means the ability of Developer to transfer densities from areas within the Project to other areas within the Project Including Transferring Such densities from one type of use to another type of use, for example, and not by way of limitation, transferring density from Multi-Family Uses to Single-Family Uses as provided in Paragraph 2.4.5 of this Agreement.*
 - b. *2.4.2 Residential Density. The total residential density permitted within the Project shall not exceed one thousand eight hundred eighty six (1,886) residential dwelling units. As shown on the Preliminary Site Plan, residential units are dispersed throughout the Project at varying densities, which may be modified by Density Transfers as provided in Paragraph 2.4.5 of this Agreement. A Development Phasing Table for the Project is attached hereto as Exhibit "F". The final density identified for each Development Phase is not yet specifically authorized by this Agreement and the Parties acknowledge that the density allowed in each Development Phase will be determined upon review and approval of a Site Plan for each such Development Phase.*
 - c. *2.4.5 Density Transfers. Developer's transfer of density units from one Development Phase or more to others within the Project shall be approved provided that (a) the total density does not exceed the density authorized for the Project; (b) the proposed transfer does not assign any density to park or open spaces shown on the Preliminary Site Plan;*

(c)any compatibility standards for uses on adjoining parcelsas set forthin City Land Use Ordinance are satisfied; (d)in the event the property from which density units aretransferred is not owned by the owner of the property to which the density units transferred, the owner of the property from which units are transferred consent in writing to such transfer;(e)in the event either parcel is jointly owned, the Density Transfer is determined on a pro-rata basis unless mutually agreed otherwise between the owners of the applicable parcels,and (f)infrastructure is sufficient and available to meet the demands created by such transfer,as reasonably determined by City. Density transfers shall be initiated by notice to City from Developer which describes the Development Phase from which density is to be transferred, describe the Development Phase to which density is to be transferred and summarizes the impact of such transfer on infrastructure improvements. The Density Transfer shall be considered approved and complete when modification subdivision application submitted by Developer, includingthe extensionor expansion of required infrastructure improvements, is approved by City.

According to the agreement, the applicant can propose multi-family units within single family areas, but needs to follow the steps listed in 2.4.5. The applicant has provided a letter, attached, stating the units are being transferred from 1760 W on the north end of the project. One of the main concerns is transferring density to an area shown as a neighborhood park in the site plan. Park/open space locations can change, but the fact the applicant is seeking a density transfer to a location shown as open is the primary issue. The applicant has committed to keeping the neighborhood park within the first phase as shown on the preliminary site plan.

3. Open Space

- a. They are proposing some open space between this phase and the Ridge at Zion Vista but most of that is hillside and is not proposing any access to that open space. There is a trail shown on their updated site plan that will need to be built as a 10' asphalt trail and a connection to that open space. Staff would recommend that the trail connect through to the Ridge at Zion Vista in the provided open space.
 - b. The site plan has a natural open space shown along the west and then a neighborhood park on the north section (Phase 1A). The applicant has shown some area as Common Area. According to the approval, the applicant provided some concept material for park spaces, which this area should be developed to meet those standards.
4. A will serve letter from the culinary water providers has not been provided. Staff has received a will serve letter from Ash Creek Special Service District.



5. **Sensitive Lands:** A sensitive lands application was not provided. A geotech report from 2006 was provided. The topographic map provided as well as the county's contour maps indicate that a sensitive lands application would probably be required however the development agreement for this project states that:

2.2.2 Sensitive Lands Ordinance. Pursuant to Section 10-24-3G1 of the Sensitive Lands Ordinance and Recitals J,K, and L set forth above, the Project Shall Not be subject to the Sensitive Lands Ordinance but shall incorporate the alternative methods listed below to protect sensitive lands. The specific application of such methods to any Development Phase, or a particular portion thereof, shall be reasonably determined by the City Engineer; provided, however, that such determination shall not have the effect of negating the rights or duties of the Developer or Owners as provided in this Agreement.

Engineering will have to sign off on all grading and retaining wall heights. Staff would recommend that the principles of the sensitive lands ordinance be generally followed.

Recommendation: Staff recommends the City Council review this application based on standards with Hurricane City Code. Staff would recommend the item should be approved subject to staff and JUC Comments, including maintaining the location of the neighborhood park.

**REPORT
GEOTECHNICAL INVESTIGATION
PROPOSED PAINTED HILLS
DEVELOPMENT
GRAND CANARY AND TACORA AREAS
SOUTHWEST OF THE INTERSECTION OF
1760 WEST 400 SOUTH
HURRICANE, UTAH**

Submitted To:

Summit Development & Management
1270 West 1130 South, Suite 145
Orem, Utah 84058

Submitted By:

Gordon Spilker Huber Geotechnical Consultants, Inc.
4426 South Century Drive, Suite 100
Salt Lake City, Utah 84123

January 19, 2006

Job No. 0207-002-05

January 19, 2006
Job No. 0207-002-05

Summit Development & Management
1270 West 1130 South, Suite 145
Orem, Utah 84058

Attention: Mr. Heath Johnston, Managing Partner

Gentlemen:

Re: Report
Geotechnical Investigation
Proposed Painted Hills Development
Grand Canary and Tacora Areas
Southwest of the Intersection of
1760 West 400 South
Hurricane, Utah

1. INTRODUCTION

1.1 GENERAL

This report presents the results of our geotechnical study performed at the site of the proposed Painted Hills Development, which is generally located to the southwest of the intersection of 1760 West and 400 South in Hurricane, Utah. The general location of the site with respect to major topographic features and existing facilities, as of 1986, is presented on Figure 1, Vicinity Map. A more detailed layout of the overall development showing the proposed locations of individual areas, lots, and roadways, and existing facilities adjacent to the development is presented on Figure 2, Overall Site Plan. The specific layout of the Grand Canary and Tacora areas are shown on Figure 3, Grand Canary Site Plan, and Figure 4, Tacora Site Plan, respectively. The locations of the test pits excavated in conjunction with this study are also presented on Figures 3 and 4.

1.2 OBJECTIVES AND SCOPE

The objectives and scope of our study were planned in discussions between Mr. Justin Jones of Summit Development & Management, and Mr. Alan Spilker of Gordon Spilker Huber Geotechnical Consultants, Inc. (GSH).

In general, the objectives of this study were to:

1. Accurately define and evaluate the subsurface soil, bedrock, and groundwater conditions across the site.
2. Complete laboratory testing to define the engineering properties of the soils underlying the site.
3. Provide appropriate foundation, earthwork, and pavement recommendations to be utilized in the design and construction of the proposed development.

In accomplishing these objectives, our scope has included the following:

1. A field program consisting of the excavation, logging, and sampling of 23 test pits; 12 in the Grand Canary area and 11 in the Tacora area.
2. A laboratory testing program.
3. An office program consisting of the correlation of available data, engineering analyses, and the preparation of this summary report.

1.3 AUTHORIZATION

Authorization was provided by returning a signed copy of our Professional Services Agreement No. 05-1040c dated December 7, 2005.

1.4 PROFESSIONAL STATEMENTS

Supporting data upon which our recommendations are based are presented in subsequent sections of this report. Recommendations presented herein are governed by the physical properties of the soils and bedrock encountered in the exploration test pits, projected groundwater conditions, and the layout and design data discussed in Section 2., Proposed Construction, of this report. If subsurface conditions other than those described in this report are encountered and/or if design and layout changes are implemented, GSH must be informed so that our recommendations can be reviewed and amended, if necessary.

Our professional services have been performed, our findings developed, and our recommendations prepared in accordance with generally accepted engineering principles and practices in this area at this time.

2. PROPOSED CONSTRUCTION

The proposed Painted Hills Development will consist of a total of 18 individual areas across 560 acres. This investigation includes on the Grand Canary and Tacora areas.

The Grand Canary area will consist of 75 single-family residential structures on approximately 0.17-acre lots across a 19-acre parcel. The area will also include a small park in the middle of the area. The Tacora area will consist of 43 single-family residential structures on approximately 0.28-acre lots across a 15.6-acre parcel.

We have anticipated that the structures will be one- to two-stories slab-on-grade. Typical residential structures are anticipated to be of wood-frame construction with wood, brick, stucco, or stone wall veneer. The vertical loads are project to range from 2 to 4 kips per linear foot along continuous wall foundations and from 20 to 40 kips for isolated column footings. Additional improvements include asphalt concrete roadways, underground utilities, sidewalks, and landscaping.

It is our understanding that part of the overall site development of the Painted Hills Development will include Arlington Parkway and the extension of 1760 West. These two roadways, as part of the County's preliminary planning for the area, will service a number of future developments to the south of the Painted Hills Development. Estimated traffic counts used in the pavement calculations were provided by Glenn Blackwell of Fehr & Piers. A more detailed discussion of projected traffic conditions is presented in Section 5.6, Pavements.

Due to the bedrock conditions encountered during our field investigation, which is discussed in Section 4.2, Subsurface Soil, Bedrock, and Groundwater, we anticipate that cuts for site grading will be kept to a minimum in order to avoid costly bedrock excavation.

3. SITE INVESTIGATIONS

3.1 FIELD PROGRAM

In order to define and evaluate the subsurface soil, bedrock, and groundwater conditions at the site, 23 test pits were explored to depths ranging from 1.0 to 16.5 feet below existing grade. Test Pits TP-1 through TP-12 were excavated within the Grand Canary area and Test Pits TP-13 through TP-23 were excavated within the Tacora area. Test Pits TP-1 through TP-4 were excavated using a rubber tire-mounted backhoe (CAT 420D). In order to penetrate deeper into the encountered bedrock, a large trackhoe excavator (Hitachi EX300 L3) was used to excavate Test Pits TP-5 through TP-23. Approximate locations of the test pits are presented on Figures 3 and 4.

The field portion of our study was under the direct control and continual supervision of an experienced GSH field engineer. During the course of the excavation operations, a continuous log of the subsurface conditions encountered was maintained. In addition, disturbed samples of the typical soil and bedrock encountered were obtained for subsequent laboratory testing and examination. Attempts were made to collect undisturbed soil samples using a hand sampling device; however, the soils were too coarse-grained to obtain an undisturbed sample. The soils and bedrock were classified in the field based upon visual and textural examination. These classifications have been supplemented by subsequent inspection and testing in our laboratory.

Detailed graphical representation of the subsurface conditions encountered is presented on Figures 5A through 5W, Log of Test Pits. Soils were classified in accordance with the nomenclature described on Figure 6, Unified Soil Classification System. Bedrock was classified in accordance with the nomenclature described on Figure 7, Rock Description Terminology.

Following completion of excavating and logging, each test pit was backfilled. Although an effort was made to compact the backfill with the equipment at hand, backfill was not placed in uniform lifts and compacted to a specific density. Consequently, settlement of the backfill with time is likely to occur.

3.2 LABORATORY TESTING

3.2.1 General

In order to provide data necessary for our engineering analyses, a laboratory testing program was initiated. The program included gradation, compaction, California Bearing Ratio (CBR) and chemical tests. The following paragraphs describe the tests and summarize the test data.

3.2.2 Gradation

To aid in classifying the soils and to provide general index parameters, full gradation tests were performed upon representative samples of the soils encountered in the test pits. The results of the tests are tabulated below:

Sieve Size	Percent Passing					
	TP-1 0.5-1.0'	TP-3 1.0-1.5'	TP-12 10.5-11.0'	TP-15 2.0-2.5'	TP-19 0-0.5'	TP-22 0-0.5'
¾"					80.6	
¾"	99.2	93.6	93.2	90.8	77.2	90.9
No. 4	98.0	90.3	83.1	85.1	70.0	85.3
No. 10	95.8	86.5	76.3	80.8	65.3	80.3
No. 30	92.4	83.8	70.9	78.2	61.2	77.0
No. 40	90.6	82.9	69.9	77.3	60.0	76.0
No. 50	87.4	81.7	68.8	75.9	58.5	74.7
No. 100	76.1	74.9	62.2	70.7	53.4	69.5
No. 200	44.9	44.1	16.7	45.7	30.8	40.9
Unified Soil Classification	SM/ML	SM/ML	SM	SM/ML	SM/GM	SM/ML

3.2.3 Compaction Test

A Compaction (Modified Proctor) Test was performed in accordance with the AASHTO¹ T-180 (ASTM² D-1557) specifications. The test was performed in order to determine maximum dry density and optimum moisture content of a representative sample of the near-surface silty sand encountered at the site. The data was then used in preparation of the California Bearing Ratio (CBR) test sample. The results of the compaction test are presented below:

Soil Description	Unified Soil Classification	Maximum Dry Density (pcf)	Optimum Water Content (percent)
Silty Sand; reddish-brown	SM	119.0	12.0

3.2.4 California Bearing Ratio (CBR) Test

A California Bearing Ratio (CBR) test was performed on the same representative sample as the Compaction Test. The test was performed in accordance with the Utah Department of Transportation Procedure 8-9-22 "California Bearing Ratio Soil" as presented in the Utah State Department of Highways Manual of Instruction, Part 8, Materials. The test was performed in order to determine subgrade characteristics and to provide data for design of the proposed pavements. The results of the CBR tests are presented below:

Soil Classification	Silty Sand with gravel (SM)	
Before Soaking	Moisture Content	111.8 percent
After Soaking	Moisture Content (Upper 1" of Sample)	11.7 percent
	Surcharge	10.0 psf
	Swell	0.25 percent
CBR	Surcharge	10.0 psf
	At 0.1" penetration	43.0 percent
	At 0.2" penetration	42.0 percent

¹ American Association of State Highway and Transportation Officials
² American Society for Testing and Materials

3.2.5 Chemical Tests

To determine if the site soils will react detrimentally with concrete, chemical tests were performed on a representative sample of the silty clay soils encountered in Test Pit TP-2 at a depth of one foot below existing grade. The results of the chemical tests are presented below:

Test Pit No.	Depth (feet)	pH	Total Water Soluble Sulfate (ppm)
TP-2	1.0	To follow	

4. SITE CONDITIONS

4.1 SURFACE

The overall project site is generally located southwest of the intersection of 1760 West and 400 South, which is approximately 0.4 miles south of Highway 9, in Hurricane, Utah. The layout of the overall Painted Hills Development is shown on Figure 2, and the Grand Canary and Tacora areas are shown on Figures 3 and 4, respectively.

The Grand Canary area is the northern-most area of the proposed Painted Hills development. The area is approximately triangular in shape, currently undeveloped, and has a moderate cover of sagebrush and desert grasses ranging up to four feet tall with some mesquite bushes ranging up to seven feet tall. The area is bordered by: undeveloped land to the north; residential developments with adjoining corrals to the east; a 10 to 20-foot deep wash to the south; and undeveloped land, which will become part of the golf course development, and Arlington Parkway to the west.

The Tacora area is located just south of Grand Canary. The area is approximately rectangular in shape and has a moderate cover of the same vegetation as described above. The area is bordered by: a 10 to 20-foot deep wash to the north; undeveloped land to the east and south that will become the 11th, 12th, and 14th holes of the proposed golf course development; and undeveloped land to the west that will become the La Ventana area.

Both areas have an irregular surface characterized by several dips and rises, which individually vary in relief on the order of 20 feet. The Grand Canary area generally slopes to the northeast and the Tacora area generally slopes to the north and south from a highpoint near the middle of the area. Both areas have a total relief on the order of 80 to 100 feet. There is a significant amount of cobbles and boulders and occasional rock outcrops at the surface. The surface boulders ranged up to approximately four feet in diameter.

4.2 SUBSURFACE SOIL, BEDROCK, AND GROUNDWATER

The subsurface sequence for both areas generally consists of surficial silty sands/sandy silts and silty sands/silty gravels underlain by basalt bedrock to the maximum depths explored. The upper 6 to 12 inches were generally loose. In some test pits, underlying the near-surface silt, sand, and gravel mixtures was a layer of moderately to strongly cemented silty sand was encountered. Each test pit was excavated into the basalt bedrock until excavation refusal was met. The maximum depth penetrated through the basalt bedrock was 10.5 feet below the ground surface. Two exceptions where refusal on basalt was not encountered were Test Pits TP-11 and TP-12 near the northwest corner of the Grand Canary area. In Test Pit TP-11, the same silty sands and basalt described above were encountered in the upper five feet. Underlying the basalt was a mottled yellow-, orange-, and reddish-brown scoria material from approximately 5.0 feet to 16.5 feet, which was the maximum depth for the equipment used. In Test Pit TP-12, the same basalt was underlain by sandstone from approximately 7.5 feet to the maximum depth explored, 15.0 feet, where refusal was encountered on the sandstone bedrock.

The underlying silty sands and bedrock will exhibit moderate to high strength, respectively, and low to negligible compressibility characteristics under the anticipated loadings.

During the course of this study, no groundwater was encountered to the maximum depth explored, 16.5 feet below the ground surface.

5. DISCUSSIONS AND RECOMMENDATIONS

5.1 SUMMARY OF FINDINGS

The most significant geotechnical aspect of the site is the shallow depths to massive bedrock. The relative characteristics of the subsurface rock encountered ranged from decomposed to extremely hard, generally increasing with depth. There is also a significant amount of cobbles and boulders and occasional rock outcrops at the surface. The surface boulders ranged up to approximately four feet in diameter.

Based on the results of our field investigation, excavations for site grading and construction that extend into the bedrock will likely require the use of heavy-duty earth moving equipment, such as D9 Caterpillar equipped with a ripping tooth or blasting. The ability to rip and remove bedrock with earthmoving equipment will depend on the amount of fracturing in the rock, the operator's experience, and the operating conditions of the equipment used. The use of other heavy-duty excavation equipment, such as hoe-rams and headache balls, may also be required.

Throughout most of the areas investigated, the upper 6 inches, and occasionally 12 inches of the subsurface are loose and are unsuitable for foundation, slab, and pavement support in their current state. Subsequent to stripping, the upper six to nine inches of the exposed soils should be scarified, moisture conditioned as necessary, and compacted to the requirements for structural fill provided in this report. As an alternative, the upper loose soils may be completely removed.

over foundations and utilities, and possibly as replacement fill below footings. It is recommended that all structural fill must be free of sod, rubbish, topsoil, frozen soil, and other deleterious materials. Structural site grading fill is defined as fill placed over relatively large open areas to raise the overall grade. For structural site grading fill, the maximum particle size should generally not exceed four inches; although, occasional larger particles, not exceeding eight inches in diameter may be incorporated if placed randomly in a manner such that "honeycombing" does not occur and the desired degree of compaction can be achieved. The maximum particle size within structural fill placed within confined areas should generally be restricted to two inches.

The on-site soils may be utilized as structural site grading fill. Only granular soils are recommended as structural fill in confined areas. Generally, we recommend that all imported granular structural fill consist of a well-graded mixture of sands and gravels with no more than 18 percent fines (material passing the No. 200 sieve).

Non-structural site grading fill is defined as all fill material not designated as structural fill and may consist of any cohesive or granular soils not containing excessive amounts of degradable material.

5.2.4 Fill Placement and Compaction

Structural fill should be placed in lifts not exceeding eight inches in loose lift thickness. Beneath buildings, structural fill up to 7 feet thick should be compacted to at least 95 percent of maximum dry density as determined by AASHTO T-180 (ASTM D-1557) compaction criteria. Structural fill less than 5 feet thick, outside building areas and beneath outside flatwork and pavements should be compacted to at least 90 percent of the above-defined criteria. If structural fills are required to be over 5 feet thick, they should be compacted to 95 percent and if up to 10 feet thick, they should be compacted to at least 97 percent of the above-defined criteria. Fills greater than 10 feet are not anticipated.

Subsequent to stripping and prior to the placement of structural site grading fill, pavements, floor slabs, or footings, the subgrade should be prepared as discussed in Section 5.2.1, Site Preparation, of this report. In confined areas, subgrade preparation should consist of the removal of all loose or disturbed soils.

Non-structural fill may be placed in lifts not exceeding 12 inches in loose thickness and compacted by passing construction, spreading, or hauling equipment over the surface at least twice.

5.2.5 Utility Trenches

All utility trench backfill material below structurally loaded facilities (flatwork, floor slabs, roads, etc.) should be placed at the same density requirements established for structural fill. If the surface of the backfill becomes disturbed during the course of construction, the backfill

should be proofrolled and/or properly compacted prior to the construction of any exterior flatwork over a backfilled trench. Proofrolling may be performed by passing moderately loaded rubber-tired construction equipment uniformly over the surface at least twice. If excessively loose or soft areas are encountered during proofrolling, they should be removed to a maximum depth of two feet below design finish grade and replaced with structural fill.

Most utility companies and City-County governments are now requiring that Type A-1 or A-1a (AASHTO Designation – basically granular soils with limited fines) soils be used as backfill over utilities. These organizations are also requiring that in public roadways the backfill over major utilities be compacted over the full depth of fill to at least 96 percent of the maximum dry density as determined by the AASHTO T-180 (ASTM D-1557) method of compaction. We recommend that as the utilities continue onto the site that these compaction specifications are followed.

5.3 SPREAD AND CONTINUOUS WALL FOUNDATIONS

5.3.1 Design Data

The proposed structures may be supported upon conventional spread and continuous wall foundations established on suitable undisturbed natural soils, properly prepared existing near-surface soils, structural fill extending to suitable natural soils, and/or suitable bedrock. For design, the following parameters are provided:

Minimum Recommended Depth of Embedment for Frost Protection	- 30 inches
Minimum Recommended Depth of Embedment for Non-frost Conditions	- 15 inches
Recommended Minimum Width for Continuous Wall Footings	- 18 inches
Minimum Recommended Width for Isolated Spread Footings	- 24 inches
Recommended Net Bearing Pressure for Real Load Conditions	- 3,000 pounds per square foot
Bearing Pressure Increase for Seismic Loading	- 50 percent

The term "net bearing pressure" refers to the pressure imposed by the portion of the structure located above lowest adjacent final grade. Therefore, the weight of the footing and backfill to

lowest adjacent final grade need not be considered. Real loads are defined as the total of all dead plus frequently applied live loads. Total load includes all dead and live loads, including seismic and wind.

Foundations established directly on massive bedrock may be proportioned utilizing a higher bearing pressure; however, due to the proposed light footing loads, these higher bearing pressures are not anticipated to be needed. If higher bearing pressure recommendations are required, GSH should be contacted for specific recommendations.

5.3.2 Installation

Under no circumstances should the footings be established on non-engineered fill, loose or disturbed soils, sod rubbish, construction debris, other deleterious materials, frozen soils, or within ponded water. If unsuitable soils are encountered, they must be completely removed and replaced with compacted structural fill. If the natural granular soils or granular structural fill upon which the footings are to be established become disturbed, they should be recompacted to the requirements for structural fill or be removed and replaced with structural fill.

The width of structural replacement fill should extend laterally at least six inches beyond the edges of the footings in all directions for each foot of fill thickness beneath the footings. For example, if the width of the footing is two feet and the thickness of the structural fill beneath the footing is one foot, the width of the structural fill at the base of the footing excavation would be a total of three feet.

5.3.3 Settlements

Maximum settlements of foundations designed and installed in accordance with recommendations presented herein and supporting maximum anticipated loads as discussed in Section 2., Proposed Construction, are anticipated to be on the order of one-quarter to three-eighths of an inch.

Approximately 60 percent of the quoted settlement should occur during construction.

5.4 LATERAL RESISTANCE

Lateral loads imposed upon foundations due to wind or seismic forces may be resisted by the development of passive earth pressures and friction between the base of the footings and the supporting soils and/or bedrock. In determining frictional resistance, a coefficient of 0.40 for soil and 0.45 for bedrock, should be utilized. Passive resistance provided by properly placed and compacted granular structural fill above the water table may be considered equivalent to a fluid with a density of 300 pounds per cubic foot. Below the water table, this granular soil should be considered equivalent to a fluid with a density of 150 pounds per cubic foot.

A combination of passive earth resistance and friction may be utilized provided that the friction component of the total is divided by 1.5.

5.5 FLOOR SLABS

Floor slabs may be established upon properly prepared existing near-surface soils, suitable undisturbed natural soils, and/or upon structural fill extending to suitable natural soils. To provide a capillary break, it is recommended that floor slabs be directly underlain by at least four inches of "free-draining" fill, such as "pea" gravel or three-quarters to one-inch minus clean gap-graded gravel. Settlements of lightly to moderately loaded floor slabs are anticipated to be minor (less than one-quarter inch).

5.6 PAVEMENTS

5.6.1 Projected Traffic

The traffic loading on the proposed roadways in the development is difficult to project and is anticipated to be primarily controlled by vehicle traffic associated with future development to the south of the Painted Hills Development and how that traffic is routed (i.e. via Arlington Parkway, 1760 West, or another route). It is our understanding that Washington County's traffic planning for the Painted Hills and the surrounding vicinity are in the preliminary stages. Our pavement section calculations provided below are based on the following preliminary information for the year 2010 provided to us by Glenn Blackwelder of Fehr & Peers Transportation Consultants.

Roads	Approximate Vehicles Per Day
Arlington Parkway to the north of 1760 West, one lane in design direction	5,200
1760 West north of Arlington Parkway, two lanes in design direction	7,000 to 9,000
Arlington Parkway south of the intersection with 1760 West, two lanes in design direction	12,000 - north end 3,600 - south end

The percentage of heavy trucks was estimated to be 5 percent. We strongly recommend that as more accurate traffic predictions become available that GSH be provided that information to make revisions to our pavement recommendations as necessary. The volume and make-up of traffic, especially percentage and types of heavy-trucks, is the most significant factor in developing pavement sections. It should be emphasized that the sections presented below are based on these preliminary factors.

5.6.2 Pavement sections

The natural silty sands will exhibit relatively good support characteristics under the anticipated traffic loadings. Considering the silty sands as the design subgrade soils and the projected traffic conditions, the following flexible pavement (asphalt concrete) sections are recommended:

One Lane in Design Direction													
		Initial Two-Way Daily Traffic (ADT)											
		<1,000*		5,000 to 8,000		8,000 to 11,000		11,000 to 15,000					
		Equivalent 18-kip Single Axle Load (ESAL) per day											
				262 to 419		419 to 576		576 to 786					
Required Pavement Section (in)	Asphalt Concrete	2.5	3	or.	4	3	or	4	3	or	4		
	Aggregate Base	7	8		10.5	8		12	8		8		
	Granular Subbase	0	8		0	10		0	12		8		

* Typical residential traffic on local collector.

Two Lanes in Design Direction							
		Initial Two-Way Daily Traffic (ADT)					
		6,000 to 10,000			10,000 to 15,000		
		Equivalent 18-kip Single Axle Load (ESAL) per day					
		157 to 262			262 to 393		
Required Pavement Section (in)	Asphalt Concrete	3	or	4	3	or	4
	Aggregate Base	6		9	8		11
	Granular Subbase	8		0	8		0

* Typical residential traffic on local collector.

Asphalt concrete and base course components should meet the requirements and be placed in accordance with the Utah Department of Transportation specifications.

5.7 GEOSEISMIC SETTING

5.7.1 General

Utah municipalities have adopted the International Building Code (IBC) 2003 and International Residential Code for One- to Two-Family Dwellings 2003. The IBC 2003 code determines the seismic hazard for a site based upon regional mapping of bedrock accelerations prepared by the United States Geologic Survey (USGS) and the soil site class (formerly soil profile type). The USGS values are presented on maps incorporated into the IBC code and are also available based on latitude and longitude coordinates (grid points). In comparison, the former UBC (Uniform Building Code) generally placed the entire Wasatch front into a single seismic zone (Seismic Zone 3).

The structure must be designed in accordance with the procedure presented in Chapter 16 of the IBC 2003 edition.

5.7.2 Faulting

Based on our review of available literature, no active faults pass through or immediately adjacent to the site. The Volcano Mountain fault and the Anderson Junction Section of the Hurricane fault zone are located 1.5 and 3.25 miles east of the project site, respectively.

5.7.3 Liquefaction

Saturated granular soils were not encountered during our investigation. The site soils are not susceptible to liquefaction, even during the design seismic event.

5.7.4 Soil Class

For dynamic structural analysis, the Site Class "C" as defined in Table 1615.1.1, Site Class Definition of the IBC 2003 can be utilized.

5.7.5 Ground Motions

The IBC 2003 code is based on 1997 USGS (United State Geologic Survey) mapping, which provides values of short and long period accelerations for the Site Class "B"- "C" boundary for the 2 percent in 50 year event (2,475 year return period). This Site Class "B"- "C" boundary represents a hypothetical bedrock surface and must be corrected for local soil conditions. The following table summarizes the peak horizontal and short and long period accelerations for a 2 percent in 50-year event and incorporates a soil amplification factor for a Site Class "C" soil profile. Based on the site latitude and longitude (37.1650 north and 113. 32318 degrees west, respectively), the values for this site are tabulated on the following page.

Spectral Acceleration Value, T Seconds	MCE 2% in 50-Yr event (2,475 yr return), % g
Peak Horizontal Ground Acceleration	33.1
0.2 Seconds, (Short Period Acceleration, S_s)	82.7
1.0 Seconds (Long Period Acceleration, S_L)	37.9

MCE – Maximum considered earthquake

The IBC 2003 code site accelerations are based on taking the above short and long period accelerations for the Maximum Considered Earthquake Event, and multiplying by two-thirds ($\frac{2}{3}$).

5.8 CEMENT TYPES

Recommendations for concrete types to be utilized that will be in contact with site soils will be forwarded in a letter upon the completion of the laboratory testing.

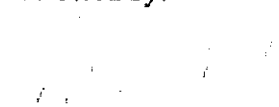
We appreciate the opportunity of providing this service for you. If you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,

GSH Geotechnical Consultants, Inc.

Reviewed by:


Rande Peterson, State of Utah No. 318732
Professional Engineer


Michael S. Huber, State of Utah No. 343650
Professional Engineer

RP/MSJ:en

- Encl. Figure 1, Vicinity Map
Figure 2, Overall Site Plan
Figure 3, Grand Canary Site Plan
Figure 4, Tacora Site Plan
Figure 5A through 5W, Log of Test Pits
Figure 6, Unified Soil Classification System
Figure 7, Rock Description Terminology

Addressee (3)

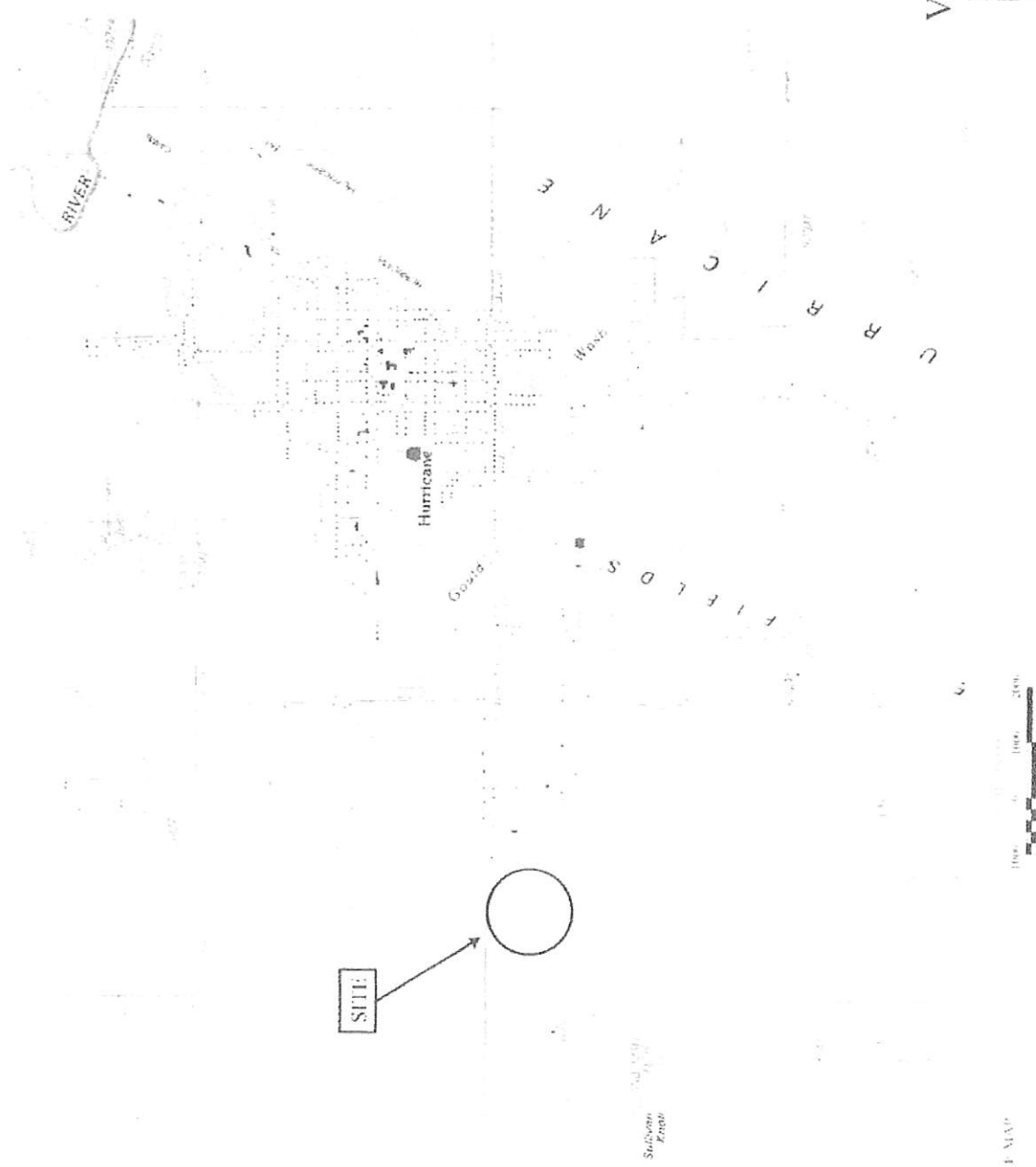
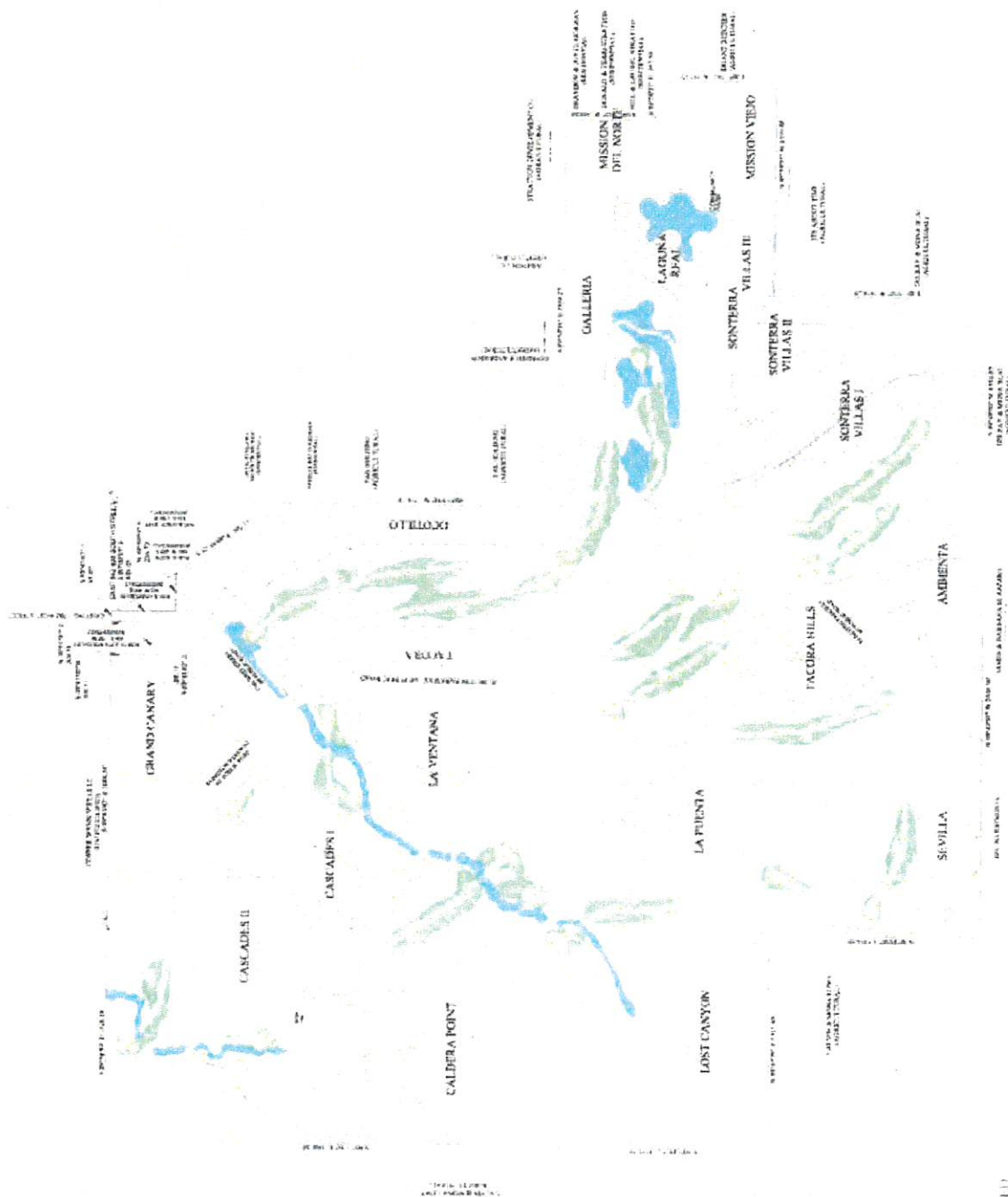


FIGURE 1
VICINITY MAP



REFERENCE
USGS 7.5 MINUTE TOPOGRAPHIC OF ADIRONDACK MAP
TITLED "HURRICANE 1 MAP"
DATED 1986



NOT TO SCALE

REFERENCE
 ADAPTED FROM DRAWING ENTITLED
 "PRELIMINARY SITE PLAN" PROVIDED BY CLIENT
 PROVIDED BY CLIENT

FIGURE 2
 OVERALL
 SITE PLAN



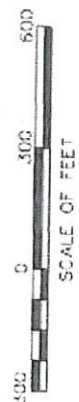


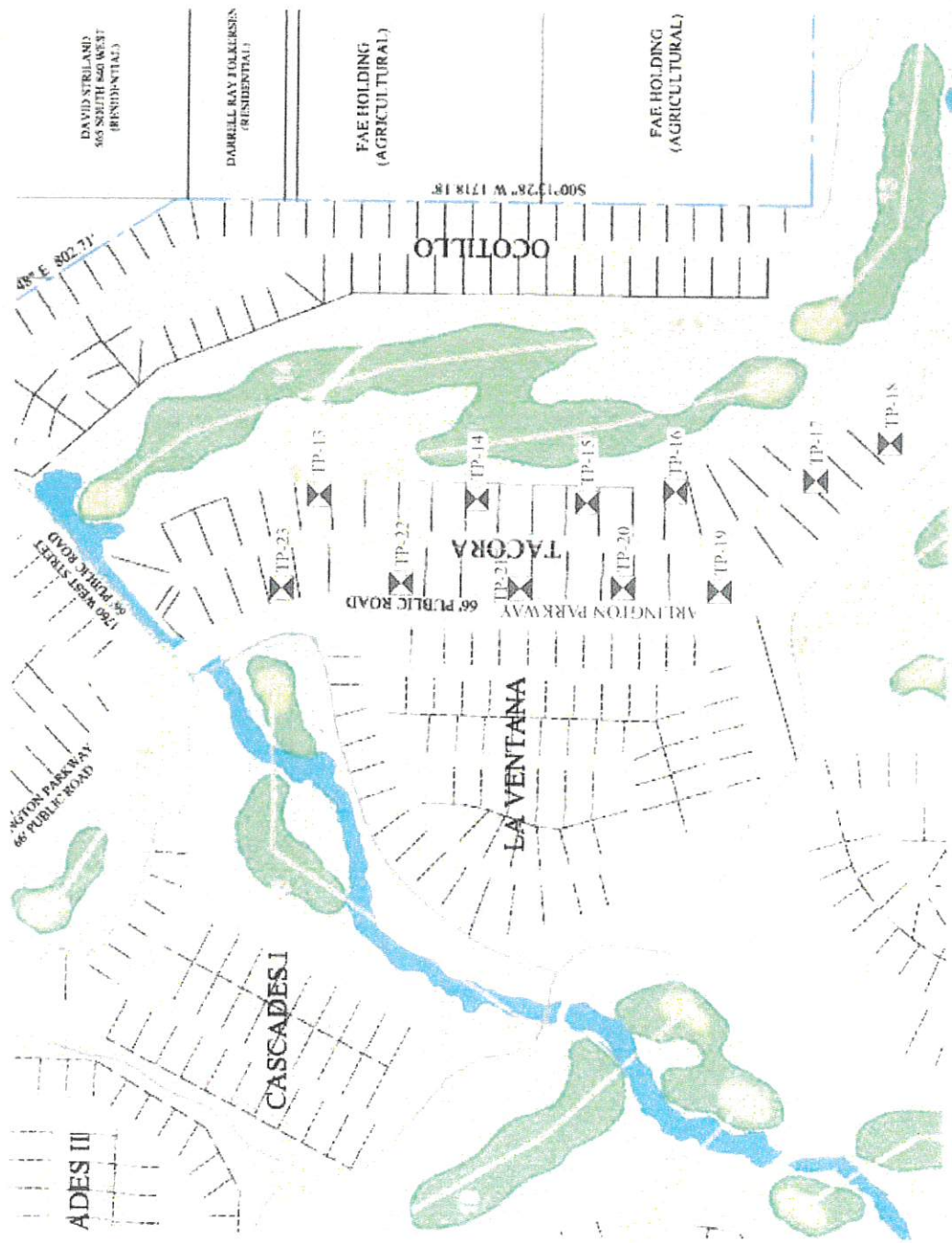
FIGURE 3
GRAND CANARY
SITE PLAN

GSH
Gordon, Spiller & Huber
Investment Consulting, Inc.

REFERENCE
ADAPTED FROM DRAWING, ENTITLED
"PRELIMINARY SITE PLAN, PAINTED WITH PLASTER,"
PROVIDED BY CHINESE

test pit locations are approximate

SUBMITTAL DEVELOPMENT & MANAGEMENT
 ROB NO. 0297-002-01



Test pit locations are approximate.

REFERENCE:
 ADAPTED FROM DRAWING ENTITLED
 "PRELIMINARY SITE PLAN, PAINTED HILLS PHASE II"
 PROVIDED BY CLIENT

FIGURE 4
 TACORA
 SITE PLAN



Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: CAT 420D Backhoe
Elevation: 3054' +/-
Remarks: _____

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-12-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND major roots (topsoil) to 2" to 3"; dark gray (SM/ML) grades reddish-brown with trace fine gravel								loose to 6" dry to slightly moist "medium dense"
		BASALT highly weathered to decomposed; very light brown (RX) grades to gray; slightly to moderately weathered; hard to very hard; very thickly bedded (min); moderately to highly fractured (fractured)								
		Stopped excavating at 4.5'. No groundwater encountered.	5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5A

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: CAT 420D Backhoe

Date Excavated: 12-12-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND major roots (topsoil) to 3"; gray (SM) grades to reddish-brown with trace fine and coarse gravel								loose to 6" dry "medium dense"
		BASALT moderately to slightly weathered; hard to extremely hard; thickly bedded (min); highly to moderately fractured (mechanical); very rough; pitting from pinhole size to 1/8" diameter; gray (RX)								
		Stopped excavating at 4.5'.	5							
		No groundwater encountered.								
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5B

Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: CAT 420D Backhoe
Elevation: 3054' +/-
Remarks: _____

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-12-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND major roots (topsoil) to 2" to 3"; gray (SM/ML) grades reddish-brown; fine to coarse sand with trace fine								loose to 3" dry to slightly moist
		BASALT slightly to moderately weathered; hard to very hard; thickly bedded (min); moderately to highly fractured (mechanical); very rough; gray (RX)								
		Excavation refusal at 4.0' on bedrock. No groundwater encountered.	5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5C

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: CAT 420D Backhoe

Date Excavated: 12-12-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND major roots (topsoil) to 2" to 3"; gray (SM) grades reddish-brown; fine to coarse sand with trace fine and coarse gravel								loose to 6" dry "medium dense"
		Excavation refusal at 1.5' on gray basalt bedrock; slightly weathered; very hard; highly to moderately fractured (mechanical); very rough								
		No groundwater encountered.								
			5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5D

Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: Hitachi EX300 L3 Trackhoe
Elevation: 3054' +/-
Remarks:

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-12-05/12-15-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry "medium dense" "dense" to "very dense"
		SILTY SAND with some fine and coarse gravel; major roots (topsoil) to 2" to 3"; trace pinholes; fine to medium sand; gray for 1" grades reddish-brown (SM) grades to very light brown; moderately to strongly cemented								
		BASALT moderately weathered; hard to very hard; thickly bedded (min); moderately to highly fractured (mechanical); very rough; gray (RX)	5							
		Stopped excavating at 6.5'. No groundwater encountered.								
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5E

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-15-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with trace fine and coarse gravel; major roots (topsoil) to 2" to 3"; fine to medium sand; gray grades reddish-brown (SM)								loose to 6" dry
		BASALT slightly weathered; very to extremely hard; moderately fractured (mechanical); rough; gray (RX)								
		Stopped excavating at 1.0'.								
		No groundwater encountered.								
			5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5F

Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: Hitachi EX300 L3 Trackhoe
Elevation: 3054' +/-
Remarks:

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-15-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry dry "very hard"
		SILTY SAND with trace fine and coarse gravel and cobbles; major roots (topsoil) to 3"; fine to coarse sand; gray grades reddish-brown (SM) BASALT moderately to slightly weathered; very hard; thickly bedded (min); moderately to highly fractured (mechanical); very rough; pitting from pinhole size to 1/8" diameter; gray (RX)								
		Excavation refusal at 4.0' on bedrock. No groundwater encountered.	5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5G

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-15-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry "medium dense"
		SILTY SAND with trace fine and coarse gravel; major roots (topsoil) to 2" to 3"; fine to medium sand; gray grades reddish-brown (SM) BASALT slightly weathered; very to extremely hard; moderately fractured (mechanical); rough; gray (RX)	1.0							
		Stopped excavating at 1.0'.								
		No groundwater encountered.								
			5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5H

Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: Hitachi EX300 L3 Trackhoe
Elevation: 3054' +/-
Remarks:

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-15-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with some fine and coarse gravel; major roots (topsoil) to 2" to 3"; trace pinholes; fine to medium sand; gray for 1" grades reddish-brown (SM)								loose to 12" slightly moist "medium dense"
		BASALT moderately to highly weathered; moderately to slightly fractured (mechanical); rough to very rough; gray (RX)								"hard"
			5							
			10							
		Excavation refusal at 10.5'. No groundwater encountered. Note: Test Pit TP-9 is adjacent to small wash.								
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 51

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-15-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with some fine and coarse gravel and cobbles; major roots (topsoil) to 3"; gray grades reddish-brown (SM) grades very light brown; moderately to strongly cemented	5							loose to 12" dry slightly moist "medium dense" "very hard"
		BASALT slightly weathered; very hard; moderately to highly fractured (mechanical); very rough; porous; gray (RX)								
		Excavation refusal at 6.5'. No groundwater encountered.	10 15 20 25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5J

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-15-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry slightly moist "moderately hard"
		SILTY SAND with some fine and coarse gravel; major roots (topsoil) to 2"; gray grades yellowish-brown (SM)								
		SCORIA highly weathered; moderately hard; intensely to moderately fractured (mechanical); massive; very rough; abundant pitting from pinhole size to 1/8" diameter; gray (RX)								
		grades with some mottling with depth; yellowish and orangish-brown (low density)	5							
			10							
			15							
		Stopped excavating at 16.5'. No groundwater encountered. Note: Test Pit TP-11 is at the approximate highest point within the Grand Canary Development.	20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5K

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-12-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with trace fine and coarse gravel and cobbles; major roots (topsoil) to 3"; gray/redish-brown (SM)								dry loose to 6"
		BASALT moderately weathered; hard to very hard; very thickly bedded; moderately fractured (mechanical); rough; gray (RX)	5							
		SILTY SAND with some fine and coarse gravel and cobbles; reddish-brown (SM)	10							moist
		SANDSTONE fine-grained sand; grades decomposed to unweathered with depth; soft to very hard; laminated to very thinly bedded; highly fractured (mechanical); slightly round (RX)	15							
		Excavation refusal at 15.0' on bedrock.								
		No groundwater encountered.	20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5L

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-15-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks: _____

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry slightly moist "medium dense" "moderately hard" to "hard"
		SILTY SAND with some fine and coarse gravel, cobbles, and boulders; major roots (topsoil) to 2"; fine to medium sand; gray grades reddish-brown (SM) grades to fine sand; moderately to strongly cemented; light brown								
		BASALT moderately to highly weathered; hard to very hard; highly fractured (mechanical); rough; gray (RX)	5							
		Excavation refusal at 8.5' on bedrock. No groundwater encountered.	10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5M

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-15-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 18" dry
		SILTY SAND with trace fine and coarse gravel and cobbles; major roots (topsoil) to 3"; fine to medium sand; gray grades reddish-brown (SM)								
		Excavation refusal at 2.0' on basalt; slightly weathered; very to extremely hard; slightly fractured; rough; gray.								
		No groundwater encountered.	5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5N

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry
		SILTY SAND with trace fine and coarse gravel and cobbles; major roots (topsoil) to 3"; fine sand; grades moderately cemented with depth; gray grades reddish-brown (SM/ML.)								
		BASALT highly to slightly weathered with depth; very thickly bedded (min) moderately to very hard with depth; moderately fractured (mechanical); rough; gray (RX)								
		Stopped excavating at 4.5'.	5							
		No groundwater encountered.								
		Note: Test Pit TP-15 is near the top of the hill (highest point) in the Tacora Phase.								
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 50

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with trace fine and coarse gravel; major roots (topsoil) to 2" to 3"; fine to medium sand; gray grades reddish-brown (SM)								loose to 4" dry
		BASALT slightly weathered to unweathered with depth; very hard; moderately bedded (min); moderately fractured (mechanical); rough; gray (RX)								
		Stopped excavating at 1.0'.								
		No groundwater encountered.								
			5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5P

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks: _____

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with some fine and coarse gravel; major roots (topsoil) to 2"; gray grades reddish-brown (SM)								loose to 6" dry
		BASALT moderately to slightly weathered; hard to extremely hard; thickly bedded (min); highly to moderately with pockets of highly decomposed material; decomposed to slightly weathered; moderately soft to very hard; moderately to highly fractured (mechanical); rough; pitting from pinhole size to 1/8" diameter; gray (RX)								
		Excavation refusal at 3.0'.	5							
		No groundwater encountered.								
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5Q

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with some fine and coarse gravel and cobbles and occasional boulders; major roots (topsoil) to 2"; fine to coarse sand; gray grades reddish-brown (SM)	0							loose to 12" dry
		Excavation refusal at 1.0' on basalt bedrock; unweathered; moderately fractured to unfractured (mechanical); rough; gray.								
		No groundwater encountered.								
			5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5R

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND AND GRAVEL with trace cobbles and occasional boulders; major roots (topsoil) to 2"; reddish-brown/gray (SM/GM)								loose to 4" dry
		SANDSTONE slightly weathered; moderately to very hard; laminated to very thinly bedded; highly fractured (mechanical); slightly rough; (RX)								
		Excavation refusal at 3.0'.								
		No groundwater encountered.								
			5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5S

Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: Hitachi EX300 L3 Trackhoe
Elevation: 3054' +/-
Remarks: _____

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-16-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with trace gravel; major roots (topsoil) to 3"; reddish-brown (SM)								loose to 3" dry
		Excavation refusal at 1.0' on layered basalt and sandstone; unknown thickness; fine-grained sand; slightly weathered; very hard; very thinly bedded; highly fractured (mechanical); slightly rough to rough. No groundwater encountered.	5 10 15 20 25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5T

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks: _____

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							
		SILTY SAND with some fine and coarse gravel and cobbles and trace boulders; major roots (topsoil) to 3"; reddish-brown (SM)								loose to 6" dry
		SANDSTONE (evidence of layering); moderately weathered; moderately soft to moderately hard; hard; very thinly bedded; highly fractured (mechanical); slightly rough; light brown (RX)								
		BASALT highly to slightly weathered; moderately to very hard; highly fractured (mechanical); rough; gray (RX)	5							
		Excavation refusal at 6.5'.								
		No groundwater encountered.								
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5U

Project Name: Painted Hills Project

Project No.: 0207-002-05

Location: Hurricane, Utah

Client: Summit Development & Management

Excavating Method: Hitachi EX300 L3 Trackhoe

Date Excavated: 12-16-05

Elevation: 3054' +/-

Water Level: No groundwater encountered.

Remarks:

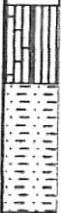
Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING #200	DRY DENSITY (pcf)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 4" dry
		SILTY SAND with some fine sand coarse gravel and cobbles; major roots (topsoil) to 3"; fine to coarse sand; reddish-brown (SM/MCL) BASALT decomposed to moderately weathered; moderately soft to very hard; very thickly bedded (min); highly fractured (mechanical); rough (RX)	-5							dry
		Excavation refusal at 8.5' on bedrock. No groundwater encountered.	-10							
			-15							
			-20							
			-25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5V

Project Name: Painted Hills Project
Location: Hurricane, Utah
Excavating Method: Hitachi EX300 L3 Trackhoe
Elevation: 3054' +/-
Remarks: _____

Project No.: 0207-002-05
Client: Summit Development & Management
Date Excavated: 12-16-05
Water Level: No groundwater encountered.

Graphical Log	Water Level	DESCRIPTION	DEPTH FT.	SAMPLE SYMBOL	MOISTURE (%)	% PASSING 200	DRY DENSITY (PCF)	Liquid Limit (%)	Plastic Limit (%)	REMARKS
		Ground Surface	0							loose to 6" dry
		SILTY SAND with some fine and coarse gravel, cobbles, and boulders; major roots (topsoil) to 2"; fine to coarse sand; reddish-brown (SM/ML) BASALT highly to slightly weathered; moderately soft to very hard; thickly bedded (min); rough; gray (RX)								
		Stopping excavating at 4.0'. No groundwater encountered.	5							
			10							
			15							
			20							
			25							

The discussion in the text under the section titled, SUBSURFACE CONDITIONS, is necessary to a proper understanding of the nature of the subsurface material.

FIGURE 5W

1

1

FIGURE 7



LOG OF TEST PIT / BORING NO. B-25
 RIG / BACKHOE TYPE Tamrock Ranger
 BORING TYPE 51 mm Rod 3.5" O.D.
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

CLUB HOUSE #1 ≈ 3525.49

[illegible]

NOTE: Drill Rod stuck during drilling @ 20'

GROUND WATER

DEPTH	HOUR	DATE

PROJECT PAINTED HillsJOB NO. 0204-07-07 DATE 1/11/07Sheet 1 of 1LOG OF TEST PIT / BORING NO. B-26RIG / BACKHOE TYPE Tamrock RammerBORING TYPE Stump-removal 8.5" BT

HAMMER WEIGHT & DROP

SURFACE ELEV

TIME STARTED 2:55TIME FINISHED 3:15CLUBHOUSE #1

REMARKS

VISUAL CLASSIFICATION

Slightly
moist

100%

silty fine sand, fine sandy silt
some fine; coarse gravel
Brown.

Dug

mod
HardBasalite Bedrock, mod weathered
drilling indicates voids

Dug

mod
Harddrilling indicates massive
formation with depthStopped drilling @ 30'
NO GWENOTE: drill hole is outgassing
@ considerable rate
(warm air) ?

GROUND WATER

DEPTH	HOUR	DATE

GSH

JOB NO. 0207-007-07 DATE 1/11/07

Sheet 1 of 1

LOG OF TEST PIT / BDRING NO. B-27

RIG / BACKHOE TYPE Tamrock Ranger 70

BORING TYPE 51mm ROD 3.5" BIT

HAMMER WEIGHT & DROP

SURFACE ELEV _____

TIME STARTED 3:45

TIME FINISHED 3:28

CLUBHOUSE #1

									BORING TYPE 51mm (2") 3/8" BIT	
									HAMMER WEIGHT & DROP	
									SURFACE ELEV	
									CLUBHOUSE #1	
									TIME STARTED 3:15	
									TIME FINISHED 3:25	
									REMARKS	
									VISUAL CLASSIFICATION	
									dry loose	
									dry med hard	
									silty fine to coarse sand w/ some fine & coarse gravel numerous small stones	
									Basaltic Redrock, med weathered	
									Drilling indicates fractures and voids to 8'	
									voids and porous @ 15'	
									Stopped Drilling @ 24'	
									NOTE: Driller concerned About Getting Rod stuck in Drill-Hole.	

NOTE: Driller concerned about
Getting Rod stuck in
Drill-Hole.

GROUND WATER

DEPTH	HOUR	DATE

PROJECT Palatka Hills
 JOB NO. 0207-007-07 DATE 1/11/07

Sheet (of 1)

LOG OF TEST PIT / BORING NO. B-28
 RIG / BACKHDE TYPE AMAROCK Rough 700
 BORING TYPE 51mm (2")
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 8:35

TIME FINISHED 8:45

Depth in Feet	Inches Recovered	Sample Type	Blows per foot 140 lb. 30" test drop hammer	Sample No. Depth	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION
							slightly moist	silty fine sand w/ some fine c
							mod	Basaltic Redrock, mod weathered
5							mod	grey
10								Drilling indicates occasional voids
15								c = 10'
20							mod	occasional voids/fractures @ 18'
25							mod	Basaltic Sandstone, grey
30							mod	Basaltic Redrock, mod weathered
							mod	grey

GROUND WATER

DEPTH	HOUR	DATE



JOB NO. 0207-052-07 DATE 1/11/07

Sheet 1 of 1

LOG OF TEST PIT / BDRING NO. B-29
RIG / BACKHOE TYPE LANEBOCK Ranger
BORING TYPE Slurry Rod 3.5" BPT
HAMMER WEIGHT & DROP _____
SURFACE ELEV. ≈ 3550

TIME STARTED 3:50

TIME FINISHED 9:10

CLUBHOUSE #2

[illegible]

REMARKS

VISUAL CLASSIFICATION

slightly

loose

Silty fine sand, fine sandy silt
w/ some fine and coarse gravel Brown
occasional coarse

Deaf

Hand

Basaltic Red rock, mod weathered
grey

DOM

mod
Hazel

occasional voids @ 10'

only

Hand

occasional voids @ 14'

Q 161

occasional woods @ 22'

BASALTIC SCORIA @ 24'

Stopped drilling @ 30'

No give

GROUND WATER

DEPTH	HOUR	DATE



PROJECT PAWTER HILLSJOB NO. 0209-007-07 DATE 1/11/07Sheet 1 of 1LOG OF TEST PIT / BORING NO. B-30RIG / BACKHOE TYPE TAMROCK RANGE 2BORING TYPE 51mm FEED 3.5" BOLT

HAMMER WEIGHT & DROP

SURFACE ELEV 3357'TIME STARTED 4:10

TIME FINISHED

CLUBHOUSE #2

Operator's Name

Contractor's Name J. R. R. R.

Contractor's Name

Logged By DR

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 140 lb. 30" free-fall drop hammer	Sample No. Depth	Number of Flings	Unified Soil Classification
5							
10							
15							
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							

REMARKS

VISUAL CLASSIFICATION

Slightly moist and dense

silty fine sand, fine sandy silt
occasional coarse brown
gravel with rounded particles
occasional boulders?

Dm mod hard

BASALTIC BEDROCK
mod. weathered

occasional voids @ 20'

voids @ 26'

stopped drilling @ 50'
NO GWE

GROUND WATER

DEPTH	HOUR	DATE



PROJECT PAINTED Hills
 JOB NO. 0207-007-07 DATE 11/1/07

Sheet 1 of 1
 LOG OF TEST PIT / BORING NO. B-31
 RIG / BACKHOE TYPE TAM ROCK RANGER 70
 BORING TYPE 51 mm ROPS 3.5" BVT
 HAMMER WEIGHT & DROP 1
 SURFACE ELEV 5353

TIME STARTED 4:30
 TIME FINISHED _____

Boring Type <u>Standard Penetration Test</u> <u>BS-1</u>								
HAMMER WEIGHT & DROP <u>1</u>								
SURFACE ELEV <u>335.3</u>								
TIME STARTED <u>4:30</u>								
TIME FINISHED _____								
Depth in Feet								
Inches Recovered								
Inches Driven								
Sample Type								
90-lbs per foot								
140 lb. 30" free-fall drop hammer								
Sample No.								
Sample Depth								
Number of Rings								
Unified Soil Classification								
REMARKS								
VISUAL CLASSIFICATION								
Slightly moist loose Silty fine sand, fine sandy silt w/ some fine and coarse gravel numerous Basaltic coarse Brown								
Dry Hard Basaltic bedrock, mod weathered grey								
Slightly moist med dense voids @ 6' Basaltic cinder and silty fine to coarse sand								
Cementation present								
Dry mod Hard Basaltic Redrock Moderately weathered grey occasional voids @ 18'								
Drilling indicates fractures / voids to 30'								
Stopped drilling @ 30' NO GWT								

GROUND WATER

DEPTH	HOUR	DATE



PROJECT PAINTED Hills
 JOB NO. 0207-007-07 DATE 1/11/07

LOG OF TEST PIT / BORING NO. B-32
 RIG / BACKHOE TYPE TAMBOREK Ranger
 BORING TYPE 51 mm 1200 3.5" B.H.
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV ~ 8350

Sheet 1 of 1

TIME STARTED _____

TIME FINISHED _____

Clubhouse #2

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 140 lb. 30" hammer full drop hammer	Sample No. Depth	Number of Rings	Unified Soil Classification
5							
10							
15							
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							

REMARKS	VISUAL CLASSIFICATION
slightly moist loose	Silty fine sand, fine sandy silt, occasional Basaltic coarse brown cemented @ 3'
DUM mod Hard	Basaltic Bedrock mod weathered gray
DUM med dense	VOIDS @ 8' Silty fine to coarse sand some fine coarse gravel, cemented
DUM mod Hard	Basaltic Bedrock, mod weathered VOIDS @ 17' VOIDS / FRACTURES @ 22'
	Stopped drilling @ 30' NO GW

GROUND WATER

DEPTH	HOUR	DATE



PROJECT Painted Hills
 JOB NO. 0707-007-07 DATE 1/9/07

LOG OF TEST PIT / BORING NO. B-17 Sheet 1 of 1
 RIG / BACKHOE TYPE TAMBOUR Ranger 700
 BORING TYPE 51mm Rod 3.5" Bit
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 1:35
 TIME FINISHED 1:45

ring

Operator's Name

3 RIVERS

Contractors Name

Depth in Feet	Inches Recovered	Sample Type	Blows per foot 120 lb. 30" free-fall drop hammer	Sample No.	Number of Rings	Unified Soil Classification
0						
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
32						
33						
34						
35						
36						
37						
38						
39						
40						
41						
42						
43						
44						
45						
46						
47						
48						
49						
50						

REMARKS	VISUAL CLASSIFICATION
dry med dense	silty fine to coarse sand w/ fine coarse gravel, cemented w/ numerous coarse brown
dry loose	Basaltic Gneiss
dry med dense	silty fine to coarse sand w/ fine coarse gravel, numerous coarse brown
dry med dense	occasional layer to 1' thick of volcanic scoria
	stopped drilling @ 30'
NOTE: RELATIVELY smooth drilling from 8' - 30'	

GROUND WATER

DEPTH	HOUR	DATE



PROJECT Painted Hills
 JOB NO. 0207-007-07 DATE 11/9/02

Sheet 1 of 1
 LOG OF TEST PIT / BORING NO. 8-16
 RIG / BACKHOE TYPE Tamrock Ranger 300
 BORING TYPE STIMM RING 8.6" dia
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	90-s per foot 1-20 lb. 30" free-fall drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION	
									TIME STARTED <u>1:05</u>	HAMMER WEIGHT & DROP	
									TIME FINISHED <u>1:30</u>	SURFACE ELEV <u> </u>	
5									dry	Hard	BASALTIC Bedrock, mod weathered
10									dry	mod dense	BASALTIC (scoria) concretion
15									dry	loose	occasional layers as fine to coarse sand with fine to coarse gravel, cemented, brown numerous basaltic concretion
20									dry	mod Hard	Basaltic Bedrock, mod. weathered gray
25									dry	mod dense	Basaltic concretion scoria dry

GROUND WATER

DEPTH	HOUR	DATE



PROJECT Painters Halls
JOB NO. 0207-007-07 DATE 1/9/07

LOG OF TEST PIT / BORING NO. B-15 Sheet 1 of 1
 RIG / BACKHOE TYPE Tamrock Ranger 700
 BORING TYPE 5' min. ROD 3.5" BIT
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per Foot 140 lb. 30" free-fall drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification	TIME STARTED	TIME FINISHED	Boring Data	
											HAMMER WEIGHT & DROP	SURFACE ELEV.
											REMARKS	VISUAL CLASSIFICATION
5											dry mod hard	BASALTIC Bedrock, mod WEATHERED grades hard @ 4'
10											dry med dense	BASALTIC SCORIA cinder
15											dry mod hard	BASALTIC Bedrock, moderately WEATHERED hard @ 15' mod. hard @ 20'
20												stopped drilling @ 24' no hwc
25												
30												
35												
40												
45												
50												
55												
60												
65												
70												
75												
80												
85												
90												
95												
100												

NOTE: Blasting possibly required for extensive cut

GROUND WATER		
DEPTH	HOUR	DATE

PROJECT PAINTED Hills
 JOB NO. 0207-007-07 DATE 1/9/07

LOG OF TEST PIT / BORING NO. B-14
 RIG / BACKHOE TYPE 1ampoule Rammer
 BORING TYPE 51mm ROD 3.5" BIT
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

Sheet 1 of 1

TIME STARTED 12:00
 TIME FINISHED 12:30

Operator's Name _____
 Contractors Name _____
 Logged By _____

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	90-lbs per foot 1-20 lb. 30" free-fall drop hammer	Sample No.	Number of Rings	Unified Soil Classification
5							
10							
15							
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							

REMARKS	VISUAL CLASSIFICATION
dry Hand	Basaltic Bedrock, mod weathered grey
dry med dense	Basaltic (Scoria) grey
dry mod. Hard	Basaltic Bedrock, mod weathered
	Stripped Drilling @ 20'
	NO GWT
	NOTE: Blasting possibly retained to conduct extensive cuts.

GROUND WATER		
DEPTH	HOUR	DATE

JOB NO. 0207-007-07 DATE 19/07

LOG OF TEST PIT / BORING NO. 13-13

RIG / BACKHOE TYPE JAMROCK Ranch

BORING TYPE 51mm Rod 3.5" BIF

HAMMER WEIGHT & DROP

SURFACE ELEV _____

TIME STARTED 11:10

TIME FINISHED 11:50

[illegible]

REMARKS

VISUAL CLASSIFICATION

slightly
moist

med
dense

Silty fine to coarse sand, with fine to coarse gravel, cemented, numerous Basaltic cobbles. *Barren*

DM

med
sense

BASALTIC (SCORIA) cinder
grey

occasional layers to 1' thick
Silty fine to coarse sand w/
fine & coarse gravel
occasional. coarse

Om

much
Hazel

Basaltic Bedrock, mod weathered
gray

Stopped Dabbling @ 30'

GROUND WATER

DEPTH	HOUR	DATE

PROJECT Painted HillsJOB NO. 0207-007-07 DATE 1/9/07Sheet 1 of 1LOG OF TEST PIT / BORING NO. B-12RIG / BACKHOE TYPE Impact RamanBORING TYPE 51mm Rod 3.5" RIT

HAMMER WEIGHT & DROP _____

SURFACE ELEV _____

TIME STARTED 10:45

TIME FINISHED _____

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 140 lb, 30" use fell drop hammer	Sample No. Depth	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION
5								dry loose	silty fine sand, fine sandy silt cemented, numerous coarse BASALT brown some fine to coarse gravel
10								dry mod. hard	BASALTIC bedrock moderately weathered gray
15								dry med dense	BASALTIC cinder (scoria) occasional lenses to 1' thick of silty fine to coarse sand; fine coarse gravel, cemented
20									
25								dry mod hard	Basaltic bedrock, mod weathered gray porous @ 28'
30									stopped drilling @ 30' NO GWT

GROUND WATER

DEPTH	HOUR	DATE

GSH

JOB NO. 0207-007-07 DATE 11/9/07

LOG OF TEST PIT / BORING NO. Sheet 1 of 1
B-11
 RIG / BACKHOE TYPE TAMPOCK RAMMER
 BORING TYPE Slurry Rod 3.5" BIT
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 10:25
TIME FINISHED 10:45

[illegible]

REMARKS

VISUAL CLASSIFICATION 13 HOLE
(Landing)

Silty fine sand fine sandy silt w/ some
fine to coarse gravel, cemented
numerous basaltic cobbles Barren

BASALTIC Bedrock, mod weathered
GREY

BASALTIC CINDER (Scoria)

BASALTIC Redwood, mud Hard
gray

Stopped Drilling @ 30'

NO QWE:

NOTE: POSSIBLE FRACTURE DURING
REQUIRED.

GROUND WATER

DEPTH	HOUR	DATE

PROJECT Painted HillsJOB NO. 0201-007-07 DATE 1/9/07Sheet 1 of 1LOG OF TEST PIT / BORING NO. B-10RIG / BACKHOE TYPE Tamrock RangerBORING TYPE 57mm Rod 3.6" RLT

HAMMER WEIGHT & DROP _____

SURFACE ELEV _____

TIME STARTED 9:50TIME FINISHED 10:20

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 120 lb 30" free-fall drop hammer	Sample No.	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION ^{13 Hole} _{1/2 to mid point}
5								dry loose/mod dense	silty fine sand, fine sandy silt w/ occasional coarse (silt/clay)
								dry mod hard	basaltic bedrock, mod weathered
10								dry mod dense	basaltic (scoria), occasional layers to 1' thick of fine sandy silt, silty fine sand, cemented
15									
20								dry mod hard	basaltic bedrock, mod, weathered
25									mod. occasional layer of soft bedrock gray
30									stopped drilling @ 30' no water

GROUND WATER

DEPTH	HOUR	DATE

GSH

PROJECT PAINTED Hills
 JOB NO 0207-007-07 DATE 1/9/07

LOG OF TEST PIT / BORING NO. B-9
 RIG / BACKHOE TYPE TAMBORE RANGER
 BORING TYPE STANDARD ROD 3.5" BIT
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 9:40
 TIME FINISHED 9:50

KUP

Operator's Name

3 RIVETZ

Contractors Name

P4

Logged By

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 1-10 lb. 30" free-fall drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION ^{13 Hole} 1/4 TO MIDPOINT
5									Dry med dense	Silty fine sand, fine sandy silt numerous basaltic coarse brown
									Dry mod hard	BASALTIC Redrock highly weathered grey
10									Dry med dense	Silty fine to coarse sand w/ fine; coarse gravel; cemented, numerous coarse brown
15										
20									Dry mod hard	BASALTIC Redrock, mod. weathered Appears porous with voids grey
25										
30									Dry loose	BASALTIC (scoria) cement grey

GROUND WATER

DEPTH	HOUR	DATE



PROJECT PAINTED HILLS

LOG OF TEST PIT / BORING NO. B-8

RIG / BACKHOE TYPE TAMM ROCK RANGER

BORING TYPE 51 mm Rod 3.5" Bit

HAMMER WEIGHT & DROP _____

SURFACE ELEV

JOB NO. 0207-007-07 DATE 01/09/07

TIME STARTED 9:00

TIME FINISHED 47 40

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 1.0 lb. 30" free-fall drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification	TIME STARTED	HAMMER WEIGHT & DROP	SURFACE ELEV.
									9:00		
									TIME FINISHED	47:40	
									REMARKS	VISUAL CLASSIFICATION	
5									dry	med dense	silty fine sand, fine sandy silt occasional fine coarse gravel occasional coarse cobbles
10									dry	mod hard	Basaltic Bedrock mod weather grey
15									dry	med dense	Basaltic cinder (scoria) grey
20											
25									dry	mod. hard	Basaltic Bedrock, mod weathered grey
30											stopped drilling @ 25' no more

GROUND WATER

DEPTH	HOUR	DATE

CGSH

PROJECT Painted Hills
 JOB NO. 0207-007-07 DATE 1/9/07

Sheet 1 of 1
 LOG OF TEST PIT / BORING NO. B-7
 RIG / BACKHOE TYPE Tamrock Ranch
 BORING TYPE 51 mm Rod 3.5" BPT
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 8:15
 TIME FINISHED _____

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 120 lb. 30" free-fall drop hammer	Sample No.	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION
								dry med dense	silty fine to coarse sand w/ some fine & coarse gravel occasional cobbles light brown
5								dry mod hard	BASALTIC BEDROCK, mod. weathered grey -
10								dry med dense	BASALTIC cinder (scoria) grey
15								dry mod hard	BASALTIC BEDROCK, mod. weathered
20								dry med dense	BASALTIC (SCORIA) cinder occasional cobbles Basalt
25									
30									Stopped drilling @ 28' NO GWT

GROUND WATER

DEPTH	HOUR	DATE



PROJECT Painted Walls

JOB NO. 0201-007-03 DATE 1/8/07

LOG OF TEST PIT / BORING NO. B-6

RIG / BACKHOE TYPE Lamson R-100

BOHRING TYPE 51 MM Rod 3.5" 15.17

HAMMER WEIGHT & DROP

SURFACE ELEV _____

Depth in Feet	Inches		Sample	Sample Type	Blows per foot 140 lb. 30" gas- tall drop hammer	Sample No.	Number of Rings	United Soil Classification
	Recovered	Driven						
5								
10								
15								
20								
25								
30								

TIME STARTED 4:05

TIME FINISHED 4:45

REMARKS		VISUAL CLASSIFICATION
dry	med dense	silty fine Sand, fine sandy silt w/ some fine and coarse gravel cemented light brown
dry	med hard	Basaltic Bedrock, gray
dry	loose med dense	Basaltic (Scoria) gray
dry	hard	Basaltic Bedrock, hard slightly weathered, gray
dry	med dense	Basaltic Scoria w/ occasional lumps to 1' thick of cemented fine to coarse sand w/ fine to coarse gravel gray
		Stopped drilling @ 80' NO GWE

GROUND WATER

DEPTH	HOUR	DATE



PROJECT Painted Hills

JOB NO. 0207-007-07 DATE 1/8/07

LOG OF TEST PIT / BORING NO. B-5

RIG / BACKHOE TYPE TAMBUK RUMAH

BORING TYPE 51 mm RoD 3.5" RLT

HAMMER WEIGHT & DROP

SURFACE ELEV _____

TIME STARTED 3:45

TIME FINISHED 4:00

										HAMMER WEIGHT & DROP	
										SURFACE ELEV	
										TIME STARTED 3:45	
										TIME FINISHED 4:00	

GROUND WATER

DEPTH	HOUR	DATE



PROJECT PAINTED HILLS
 JOB NO. 0207-007-07 DATE 1/8/07

Sheet 1 of 1
 LOG OF TEST PIT / BORING NO. B-4
 RIG / BACKHOE TYPE TAMBOCK Ranger 700
 BORING TYPE _____
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 3:30

TIME FINISHED 3:45

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 120 lb. 30" hammer left drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification
5								
10								
15								
20								
25								
30								
35								
40								
45								
50								
55								
60								
65								
70								
75								
80								
85								
90								
95								
100								

REMARKS	VISUAL CLASSIFICATION
dry med dense	Silty fine to coarse sand w/ fine to coarse gravel. Cemented, light brown
dry mod. hard	BASALTIC BEDROCK slightly weathered moderately hard, gray
dry loose	BASALTIC (SCORIM) cinder
dry mod. hard	Basaltic bed rock, moderately hard moderately weathered gray
dry loose / med dense	Basaltic cinder, gray
	Stopped drilling @ 30' NO GWE

DATE _____
 Operators Name _____
 S. R. W. _____
 Contractors Name _____
 Logged By. PL

GROUND WATER

DEPTH	HOUR	DATE



PROJECT Painted HillsJOB NO. 0207-007-07 DATE 1/8/07Sheet 1 of 1LOG OF TEST PIT / BORING NO. B-3RIG / BACKHOE TYPE TAMROCK Ranger 700

BORING TYPE

HAMMER WEIGHT & DROP

SURFACE ELEV 3380.94TIME STARTED 2:55TIME FINISHED 3:25

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 120 lb, 30" free-fall drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION
5									dry med dense	silty fine sand, fine sandy silt w/ some fine to coarse hyd. iron
									dry Hard	Basaltic bedrock, slightly weathered, grey
10									dry loose/med dense	Basaltic cinder (scoria)
									dry mod. Hard	Basaltic bedrock mod. Hard moderately weathered, grey
15									dry loose	Basaltic (Scoria) and silty fine sands
20										Stopped Drilling @ 16' NO GWC

GROUND WATER

DEPTH	HOUR	DATE

GSH

JOB NO. 0207-007-07 DATE 1/8/07

LOG OF TEST PIT / BORING NO. B-1
RIG / BACKHOE TYPE TAMROCK Ranger 700
BORING TYPE _____
HAMMER WEIGHT & DROP _____
SURFACE ELEV _____

TIME STARTED _____

TIME FINISHED _____

Depth In Feet	Inches Recovered	Inches Driven	Sample Type	Blows per Foot 140 lb. 30" Lissell drop hammer	Sample No.	Number of Rings	Unified Soil Classification	TIME STARTED _____	BORING TYPE _____
								TIME FINISHED _____	HAMMER WEIGHT & DROP _____ SURFACE ELEV _____
REMARKS								VISUAL CLASSIFICATION	
								DRY	med dense Silty fine Sand, fine Sandy silt w/ some fine to coarse gravel light brown
5								DRY	BASALTIC Bedrock, slightly WEATHERED moderately hard grey
10								DRY	loose / med dense BASALTIC CINDER (SCORIA)
15								DRY	BASALTIC Bedrock, highly WEATHERED MODERATELY HARD grey
20								DRY	BASALTIC Bedrock, highly WEATHERED moderately hard
									Stopped drilling @ 20' NO GWT
									NOTES: BLASTING NOT REQUIRED TO CONDUCT CUT.

NOTES :

BLASTING NOT REQUIRED TO CONDUCT CUT.

GROUND WATER		
DEPTH	HOUR	DATE

PROJECT PAINTED HILLS
 JOB NO 007-007-07 DATE 1/9/07

LOG OF TEST PIT / BORING NO. B-18
 RIG / BACKHOE TYPE Timberline Ranger
 BORING TYPE 51mm BOD 3.5" R.T.
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 1:55
 TIME FINISHED 2:35

Elev

Operator's Name

Contractor's Name 3 Rivers Inc.

EL

Logged By

									TIME STARTED <u>1:53</u>		HAMMER WEIGHT & DROP	
									TIME FINISHED <u>2:35</u>		SURFACE ELEV <u> </u>	
Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 140 lb. 30" triax- fall drop hammer	Sample No.	Sample Depth	Number of Rings	Unified Soil Classification	REMARKS	VISUAL CLASSIFICATION		
5									Slightly moist	med dense	silty fine to coarse sand w/ fine & coarse gravel, numerous basaltic cobbles brown to reddish brown	
									DM	loose	Basaltic cinder (scoria)	
									DM	med dense		
10											silty fine to coarse sand with fine & coarse gravel, occasional coarse brown	
15									DM	mod hard	Basaltic bedrock mod weathered gray	
									DM	med dense	Basaltic (scoria) cinder dark gray	
20									DM	mod soft	Basaltic bedrock highly weathered grades moderately hard @ 22'	
25												
30											Stopped Drilling @ 30' NO GWE	

GROUND WATER		
DEPTH	HOUR	DATE



PROJECT PAINTED HILLSJOB NO. 0207-007-07 DATE 1/9/07Sheet 1 of 1LOG OF TEST PIT / BORING NO. B-19RIG / BACKHOE TYPE TAKEUCHI RINGERBORING TYPE 5T mm Rod 3/8" BIT

HAMMER WEIGHT & DROP

SURFACE ELEV

TIME STARTED 11:30TIME FINISHED 12:30

X LOT 65/66

Operator's Name

Contractor's Name

by

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	90-150 lb per foot 120 lb 30" free-fall drop hammer	Sample No. Depth	Number of Rings	Unified Soil Classification
0							
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							
46							
47							
48							
49							
50							

REMARKS

VISUAL CLASSIFICATION

slightly
moistmed
densesilty fine to coarse sand of fine &
coarse gravel, occasional coarse
brown

dry

hard

Basaltic Bedrock, mod weathered

dry

med
denseBasaltic cinder section
dark grey
occasional layers to 1' thick of
silty fine to coarse sand of fine
and coarse gravel, cemented

dry

hard

Basaltic Bedrock, mod weathered
greyStopped drilling @ 20'
NO GWE

GROUND WATER

DEPTH	HOUR	DATE



PROJECT PAINTED Hills
 JOB NO. 0207-007-07 DATE 1/11/03

LOG OF TEST PIT / BORING NO. B-20
 RIG / BACKHOE TYPE TAMROCK Rammer
 BORING TYPE 57 mm Rod 5.5" Bit
 HAMMER WEIGHT & DROP
 SURFACE ELEV 3372.51

Sheet 1 of 1

TIME STARTED 10:09
 TIME FINISHED 10:20

VIA CORAME LOT #4

Depth in Feet	Inches Driven	Inches Recovered	Sample Type	Blows per foot 1-10 lb, 30" free-fall drop hammer	Sample No.	Number of Rings	Soil Classification
5							
10							
15							
20							
25							
30							
35							
40							
45							
50							
55							
60							
65							
70							
75							
80							
85							
90							
95							
100							

REMARKS	VISUAL CLASSIFICATION
DRY mod hard	Basaltic Redrock, mod weathered green
Slightly sandy	Silty fine to coarse sand w/ fine coarse gravel cemented numerous cobbles
DRY mod hard	Basaltic Redrock mod weathered
DRY red dense	Basaltic (Scoria) cinder occasional green basaltic cobble
	Stopped drilling @ 20' NO GWT

GROUND WATER

DEPTH	HOUR	DATE

GSH

PROJECT PAINTED HILLS
 JOB NO. 0207-007-07 DATE 1/11/07

Sheet 1 of 1

LOG OF TEST PIT / BORING NO. B-21
 RIG / BACKHOE TYPE TAMECOCK RANGE 200
 BORING TYPE 51 mm Rod 3.5" Bit
 HAMMER WEIGHT & DROP _____
 SURFACE ELEV _____

TIME STARTED 10:25

TIME FINISHED 10:40

~ LOT 79 along VERDE GIADA

Operator's Name _____

Contractor's Name 3 RIVERS

Logged By _____

Depth in Feet	Inches Recovered	Inches Driven	Sample Type	Blows per foot 1-10 lb. 30" free-fall drop hammer	Sample No. Depth	Number of Rings	Unified Soil Classification
0							
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							

REMARKS		VISUAL CLASSIFICATION
Slightly moist	med dense	Silty fine to coarse sand w/ fine g coarse gravel, numerous coarse brown
Dry	mod Hard	Basaltic Bedrock, mod weathered grey
Dry	mod dense	Basaltic Scoria (under grey)
Dry	mod Hard	Basaltic Bedrock, mod weathered
		Stopped drilling @ 20'
		NO GWE

GROUND WATER

DEPTH	HOUR	DATE



52-10588

JOB NO 0207-057-04 DATE 1/11/07

Sheet / of /

LOG OF TEST PIT / BORING NO. B-24
 RIG / BACKHOE TYPE THAMROCK RANGE 200
 BORING TYPE 5" ROD 3.5" B.I.
 HAMMER WEIGHT & DROP
 SURFACE ELEV 3363.07

HAMMER WEIGHT & DROP
SURFACE ELEV. 3353.07

cc LOT # 68 NARDE GIBDA

TIME STARTED 11:55

TIME FINISHED 12:30

REMARKS

VISUAL CLASSIFICATION

Basaltic Beckrock, mod weathered

Silty fine to coarse sand with fine
and coarse gravel, occasional single brown
cemented

Basaltic bedrock, and weathered

Stopped drilling @ 20'
No GW

GROUND WATER

[illegible]

CSH

MEMORANDUM

To: Kurt Miller

Job No. 0207-007-07

From: Alan Spilker - GSH

Date: April 4, 2007

Subject: Stack Rock Walls
 Collinas Tintas Development
 Hurricane, Utah

1. INTRODUCTION

Rockery walls are proposed to be constructed throughout the development. In general, walls are proposed to range in height from 2 to 16 feet. Based upon data presented in the geotechnical report dated January 19, 2006¹, the soils typically encountered at the site consist of surficial silty sands/sandy silts and silty sands/silty gravels underlain by layers of basalt bedrock and volcanic cinders. Construction of the walls shall be in accordance with the attached figure Typical Detail Rock Wall.

Stacked Rock Walls, in bedrock, cinders, and natural soil slopes can be constructed with fairly steep individual cuts. It is recommended that rockery walls exceeding 12 feet in height be constructed with multiple tiers/benching. Minimum bench distance between the top of the lower tier wall and the base of the next higher tier wall should be at least equivalent to the height of the lower tier wall.

Overall slope is various Bedrock and Soil material must not exceed the following:

Material Type	Maximum Overall Slope (horizontal to vertical)
Bedrock	0.5 h to 1.0 v
Cinders	1.0 h to 1.0 v
Natural Sand and Gravels	1.0 h to 1.0 v
Natrual Fine-Grained Soils	1.5 h to 1.0 v

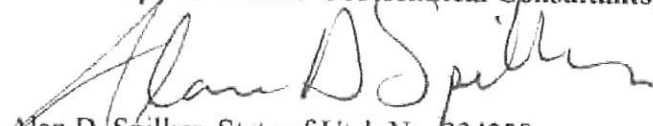
¹ "Report, Geotechnical Investigation, Proposed Painted Hills Development, Grand Canary and Tacora Areas Southwest of the Intersection of 1760 West 400 South, Hurricane, Utah" GSH Job No. 0207-002-05.

Memorandum
Job No. 0207-007-07
April 4, 2007

We appreciate the opportunity of providing this service for you. If you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,

Gordon Spilker Huber Geotechnical Consultants, Inc.

A handwritten signature in black ink, appearing to read "Alan D. Spilker", is written over the company name.

Alan D. Spilker, State of Utah No. 334228
Professional Engineer

Encl. Typical Detail Rock Wall

Summit Development & Management
Job No. 0207-002-05
Geotechnical Investigation
August 28, 2006

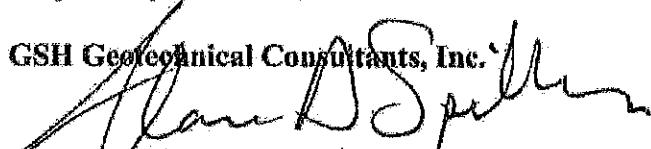
incorporated if placed randomly in a manner such that "honeycombing" does not occur and the desired degree of compaction can be achieved. The maximum particle size within structural fill placed within confined areas should generally be restricted to two inches.

When placing larger rock, no larger than 18 inches in diameter, it is required that each individual particle be placed "nested" such that there exists adequate space between each particle such that sand and fine-grained soils may be placed without the possibility of "bridging" or "honeycombing". Subsequent to the placement of the larger particles, sand and/or fine-grained soils should be placed at a water content near saturation and be worked into and allowed to flow into the remaining voids.

We appreciate the opportunity of providing this service for you. If you have any questions or require additional information, please do not hesitate to contact us.

Respectfully submitted,

GSH Geotechnical Consultants, Inc.



Alan D. Spilker, State of Utah No. 334228
Professional Engineer

1.1.1.1 Embankment Fill Material

Embankment fill is defined as all fill which will ultimately be subjected to structural loadings, including the embankment reservoir and the drain. We expect that fill will also be required as site grading fill, embankment material, backfill over utilities, and as replacement fill in disturbed areas. All fill must be free of sod, rubbish, topsoil, frozen soil, and any other deleterious materials. Embankment fill should consist of a mixture of clay, silt, sands, and gravels containing no less than 35 percent fines, that is, material passing the No. 200 sieve. Maximum particle size within the well-graded sand and gravelly clay mixture should generally not exceed four inches, although some individual particles up to six inches may be placed within the fill. Table 5.3, Embankment Fill Specifications, contains the recommended embankment fill gradation limits.

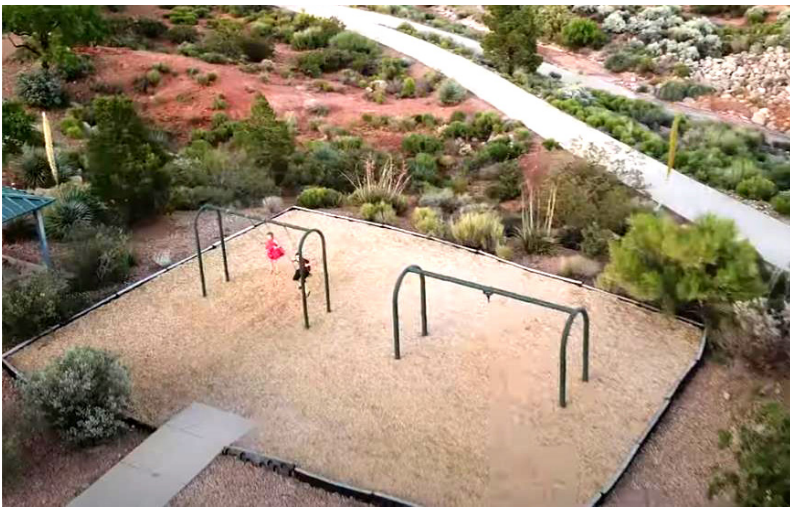
Table 5.3 – Embankment Fill Specifications

Particle Size	Percent Passing
6 inches	100
No 4 Sieve	40 to 75
No. 200 Sieve	35 Minimum

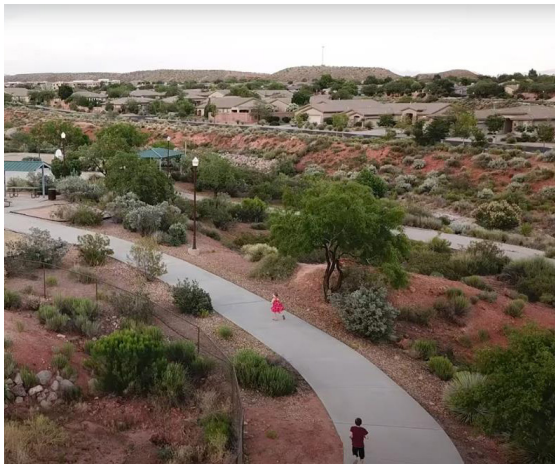
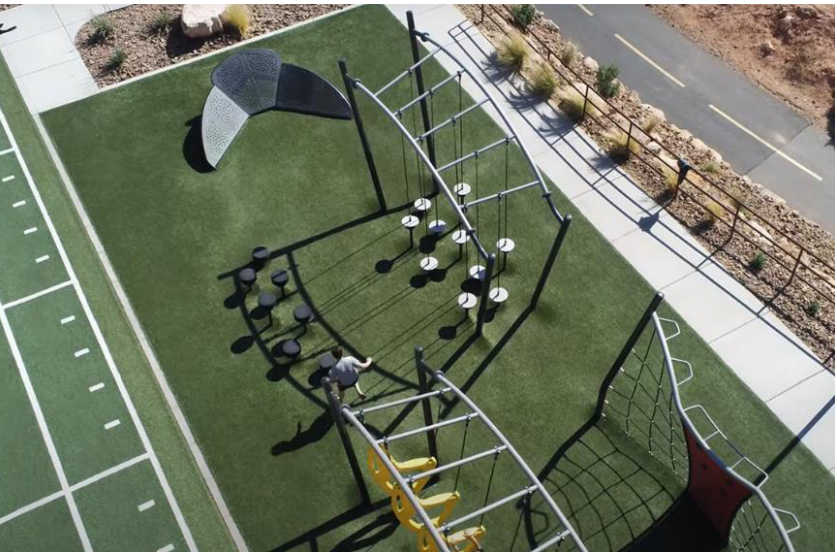
The on-site soils and broken down bedrock should be utilized as embankment fill. Some processing of the site soils may be required to remove oversize material. Oversize material should either be placed along the reservoir toe or wasted. It should be noted that unless close moisture control is maintained, utilization of the natural on-site soils as structural site grading fill will be very difficult, during wet and cold periods of the year. The in-situ materials are expected to be dryer than optimum moisture content. Some moisture-conditioning of this material may be required before this material can be placed as embankment fill.

NEIGHBORHOOD PARK VISION BOARD

**SHELTERS
& SHADE
STRUCTURE**



**SMALLER
PLAYGROUND
FEATURES**



**HAMMOCK
GROVE**

***Images are examples of site elements intended for the neighborhood parks.**

COMMUNITY PARK VISION BOARD

BIKE
FEATURES



LARGER PLAYGROUND FEATURES



NATURE /
BOULDER PLAY



LARGE
PAVILION



PLAYGROUND
& ACTIVE
RECREATION
AMENITIES



DOG PARK

*Images are examples of site elements intended for the community parks.

TRAILS VISION BOARD

10' WIDE MULTI-USE ASPHALT TRAIL



SINGLE-TRACK MULTI-USE TRAIL



6' MULTI-USE TRAIL

*Images are examples of trails intended for use throughout the community.

August 11, 2022

Stephen Nelson

Planning Director

Hurricane City

147 North 870 West

Hurricane, Utah 84737

Subject: Density Transfer Request, Blackridge Development, Phase 1, Hurricane, Utah

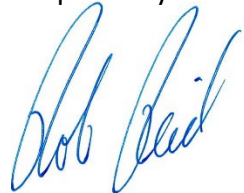
Dear Stephen:

This letter is to provide notice to Hurricane City from Wasatch Group is requesting to initiate a density transfer to relocate approximately 2.4-acres of the townhome area shown on the west end of 900 South Street, south side, to be exchanged with a 2.4-acre area on the north end of the project along 1760 West Street to include all of the 1.6-acre neighborhood park and approximately 0.8 acres of single family (up to 6 DU/acre lots) residential.

It is anticipated that there will be no change in impact on proposed utility and road infrastructure from the original master plan.

We appreciate the opportunity to submit this information for your review. If you have any additional questions or comments, please contact this office at (435) 673-8586 during business hours.

Respectfully Submitted,



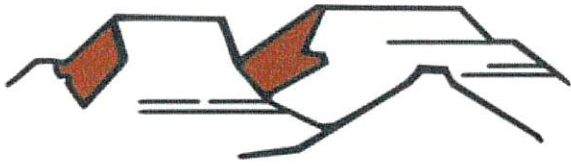
Rob Reid, PE

Project Engineer

Acknowledged By,

Austin Overman, Wasatch Group

Date



HURRICANE CITY

UTAH

Water Department
Ken Richins, Superintendent

July 19, 2022

To Whom It May Concern:

Wasatch Commercial Builders (the "Developer") has requested a culinary water will serve letter for the subdivision known as Black Ridge Phase 1A -1C, located at approximately 1760 W 1750 S in Hurricane, Utah (the "Project").

Infrastructure

The City currently has infrastructure to supply culinary water in the general area of the Project. However, Developer will be responsible to connect the Project to the existing water infrastructure, including the installation of infrastructure in dedicated public streets and as otherwise required to meet City standards. In addition, Developer may be required to obtain and supply a hydraulic water study to ensure the waterline will deliver required fire flows. A looped water system may be required.

Water Supply

As of the date of this letter, the city has adequate water to supply water to 93 residential connections within the Project. However, water within the City is a finite resource with limited supply. The ability of the City to supply water to previously approved projects, as well as continue to serve additional water customers, is contingent on water supplies being available from the Washington County Water Conservancy District (the "Conservancy District"). Therefore, the City's statements in this letter regarding the adequacy of water supply is (1) contingent on water being available from the Conservancy District and (2) shall expire one year from the date of this letter, after which a renewed will serve letter will be required for any property or lot that has not obtained a metered connection to the City's culinary water system. Developer is encouraged to obtain a guarantee of water from the Conservancy District.

General Requirements

In addition to the requirements and limitations described above, Developer shall be required to comply with all applicable laws, ordinances, policies, and construction and design standards. These requirements include, but are not limited to, secondary water system requirements and any obligations described in an applicable development agreement.

Sincerely,

Ken Richins
Water Department Superintendent



Ash Creek Special Service District

1350 S. Sand Hollow Road

Hurricane, UT 84737

Office: (435) 635-2348 Fax: (435) 635-8550

ashcreek@infowest.com

August 9, 2022

Hurricane City
Stephen Nelson
127 N. 870 W.
Hurricane, UT 84737

RE: Blackridge Phase 1

Stephen,

There is sewer capacity for this project. The developers understand and agree that they will need to get plan approval for the sewer system.

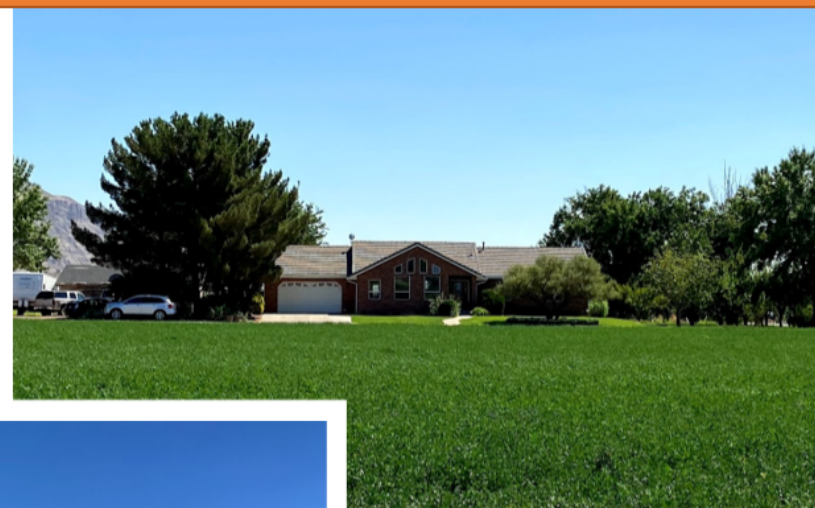
After approval, they agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District



Moderate Income Housing Plan



Acknowledge

Hurricane City wants to acknowledge the following for their help and contribution to the creation of this plan.

Mayor

Nanette Billings

City Council

Dave Sanders

Joseph Prete

David Hirschi

Kevin Thomas

Doug Heideman

Planning Commission

Paul Farthing

Shelley Goodfellow

Mark Sampson-Chair

Brad Winder

Rebecca Broneman

Michelle Cloud

Ralph Ballard

Kelby Iverson

Steering Committee

Kevin Thomas

Michelle Cloud

Penny James-Garcia

Matt Loo

Rosie Sevier

Brent Moser

Karl Rasmussen

Kayo Skandunas

City Council

Planning Commission

Local Resident

American Land Consulting

Neighborhood Works/ Hurricane Chamber of Commerce

Resident and Local Developer

Resident and Pro Value Engineering

Habitat for Humanity

Hurricane City Staff

Kaden DeMille

Stephen Nelson, AICP

Fred Resch

Brienna Spencer

City Manager

Planning Director

Asst. Planner

Planning Technician



PLANNING & ZONING
HURRICANE CITY
UTAH

Introduction and Vision

Hurricane City is a rural but growing community located in Washington County, Utah. The City is uniquely placed near Zion National Park, Red Rock Reserve, has two state park reservoirs within its boundary (Sand Hollow State Park and Quail Creek State Park), sand dunes to the south, and world famous mountain biking and hiking. The population at the time of writing this document is around 22,680, and the average growth rate has been around 7% each year for the last five years. About 60%-70% of the property within Hurricane is still available for development. Hurricane City anticipates that growth will continue over the next several decades.

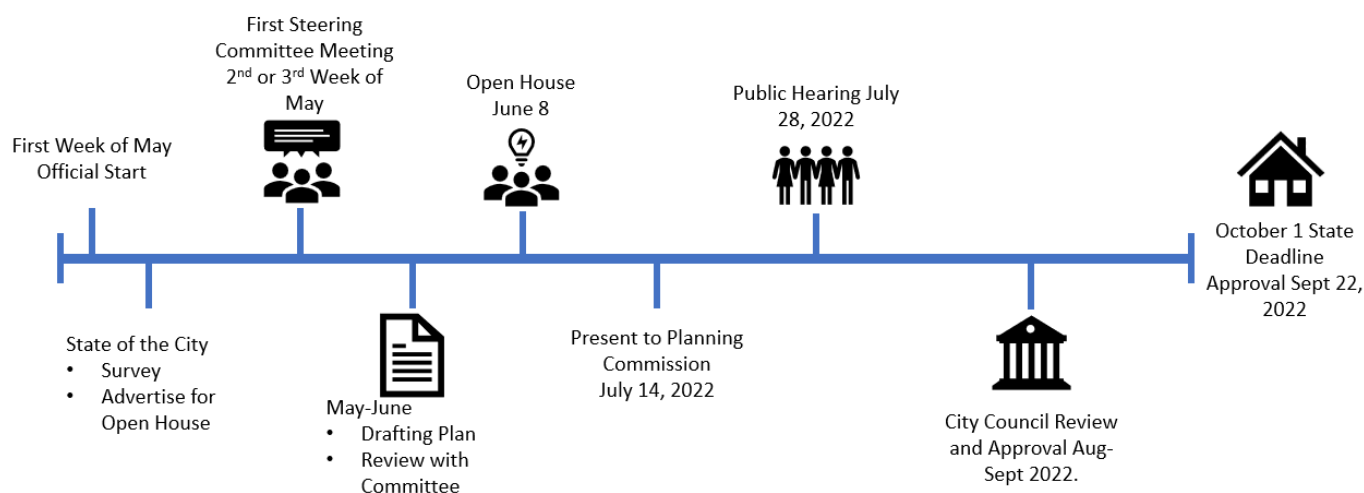
The high housing demand has created housing shortages within the City over the last several years, with a near-record low number of units available on the market at any given time. Home and rental prices have continued to rise over the past several years, pricing people out of the market. Hurricane City has taken steps in the last few years to increase housing options within the City by approving developments that contain a wider variety of housing types, allowing accessory dwelling units in all single-family zone, economic expansion within the City, and partnership with developers and non-profits to building more affordable units.

This plan's goal is to build upon existing strategies and create further policies to help guide the City to allow housing options for everyone to find adequate and affordable housing within the City.

Process of Creating the Plan

Hurricane City has endeavored to create an open process to create this plan while receiving input from the public. The City relied on citizens and stakeholders by creating a steering committee of business owners, developers, and residents; holding public surveys and an open house; the plan was reviewed and edited by the Planning Commission; and final approval by the City Council.

Timeline for Moderate Income Housing Plan



Hurricane City's General Plan

In March of 2021, Hurricane City adopted a new General Plan. Chapter 4 within that plan focused on Housing and Transportation. The General Plan has the following housing vision:

OUR HOUSING VISION

In 2030, Hurricane is a city that addresses their diverse housing needs with a wide range of housing options. A balance of stable single-family neighborhoods filled with full-time residents, retirement communities, affordable, well-designed multi-family developments, and residential agriculture provides options for families and individuals at all stages of life and allows residents to age-in-place.

THIS MEANS:

- » *Allowing a mix of housing options such as accessory dwelling units to meet housing affordability needs*
- » *Providing high-quality senior housing options and smaller lots with less maintenance to allow residents to age-in-place*
- » *Preserving and investing in already established neighborhoods*
- » *Creating design standards for high-density housing*
- » *Managing short-term/vacation rentals to mitigate the potential impact on the surrounding neighborhoods*

(General Plan, 2021, p. 39)

The General Plan lists strategies and policies to help achieve this vision. These strategies and policies will be referenced but not listed within this document. This plan will not seek to rewrite these sections of the General Plan but build upon them into detailed plans to achieve the vision within it.

State Law Requirements

Utah State Legislature updated requirements for qualifying cities for moderate income housing plans in the spring of 2022 with House Bill 462 and requires each municipality to comply with the new standard by October 1, 2022. These new requirements make the 2019 Moderate Income Housing Plan obsolete and in a need of an update. The law requires Hurricane City to adopt three strategies from a menu of options within state law. This plan meets the new requirements within state law by adopting seven of the menu options and incorporating strategies and an implementation plan to achieve those strategies.

Other Factors

While the City cannot control the housing market, it can take steps to help ensure housing options continue to be available for all residents of all income ranges and ages. These include locating appropriate land use designations for multi-family housing, manufactured home communities, and townhome developments. Ensuring these land use designations are located in areas convenient to shopping, transportation, and jobs will help families keep transportation costs lower. The City considered these factors as it updated the 2020 General Plan, which is reflected in this Plan.

Outline

This plan shall address the following items.

- ❖ Assessment of the current housing in Hurricane City
- ❖ Review of Public Input
- ❖ Current Policies
- ❖ Strategies and Policy
- ❖ Implementation
- ❖ Conclusion

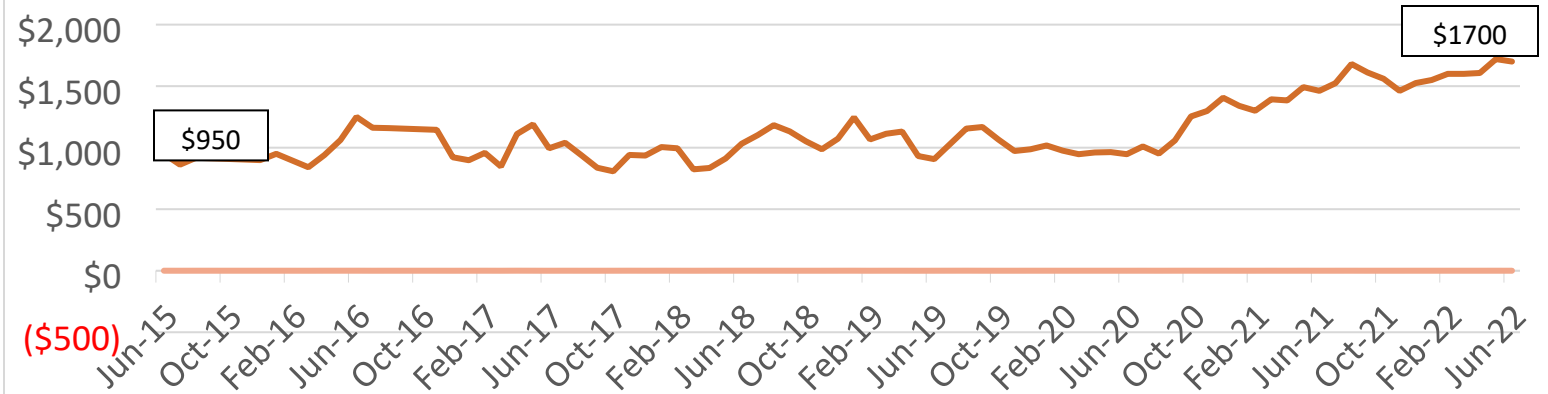
Assessment

One of the first steps to creating a housing plan is to assess the current housing market within the City. This section will review home and rental prices, existing affordable housing stock, growth within Hurricane, short term rentals, and anticipated housing needs.

Home and Rental Prices

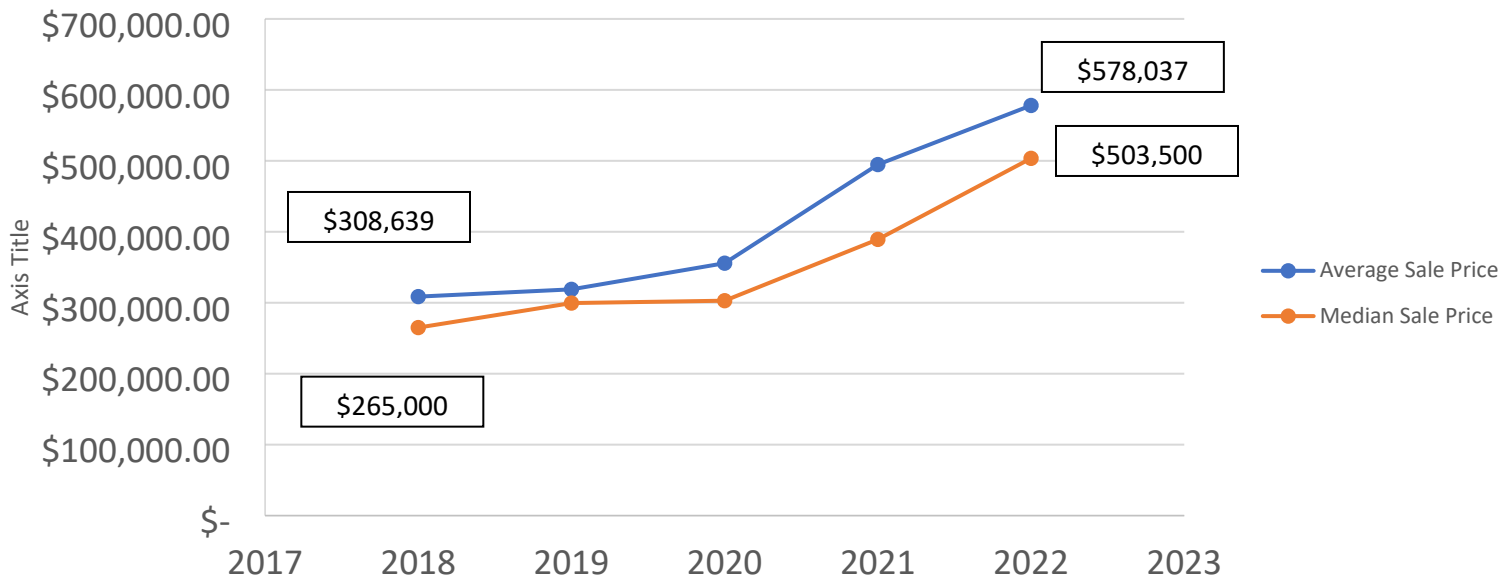
Hurricane City has seen a dramatic increase in housing costs over the last several years. Home prices have risen across the board for every type of housing option. The two following graphs show the rise in rental rates for two bedroom apartments in Washington County, and the home prices within Hurricane City. As the data shows, the average monthly rental rate in 2015 was \$950, while today the average rental rate is around \$1,700. The Home Prices in Hurricane graph represents the actual average and median home sale prices from January 2018-January 2022. The graph shows that home prices have risen 87% since 2018. These dramatic increases have outpaced the rise of income over the same period.

Two Bedroom Rental Rate 2015-2022



Source: <https://www.zumper.com/rent-research/washington-ut>

Home Prices in Hurricane



Existing Housing Stock and Developments

Hurricane City has been working on increasing the housing type within the City. The following table shows the estimated numbers for the different housing stock within the City. 2018 serves as the base year with census data, the remaining has been provided by building permits issued by the City.

Year	Homes	Percentage	Twin Homes	Percentage2	Apartments	Percentage3	Manufactured Home	Percentage4	Total
2022	5611	75%	908	12%	318	4%	634	8%	7471
2021	5541	76%	855	12%	303	4%	634	9%	7333
2020	5049	75%	723	11%	288	4%	634	9%	6694
2019	4637	76%	563	9%	288	5%	634	10%	6122
2018	4324	75%	519	9%	288	5%	634	11%	5765

Hurricane City has several existing affordable Projects within Hurricane. Some of these are through federal programs, and some include historic housing developments within the City.

Project Name	Location	Number of Units	Low-Income Units	Zoning
Hurricane Apts	165 N 200 W	24	24	RM-2
Knollwood Townhomes	6220 W 140 N	28	28	RM-2
Hurricane Hills I	2002 W 200 S	50	50	RM-2 PDO
Renee Ann	6325 W 25 N	23	23	RM-2
Hurricane Hills II	2002 W 200 S	28	28	RM-2 PDO
Crown at Stoney Point	580 N 230 W	8	8	R1-6
Stone Ridge Townhomes	380 and 384 S 6250 W	40	40	RM-3 PDO
Stone Ridge Townhomes II	368 & 380 S 6200 W	68	68	RM-3 PDO

(This table shows the number of units that have been approved and built as Low Income Housing Tax Credit (LIHTC) Developments)



The City has also approved a new FHA Condo Home Project containing 200 Units located on Old Hwy 91 and Foothills Canon Dr. The City has recently had several homes built by Self Help Homes. This nonprofit housing organization allows future owners within a development to help build their and their neighbor's

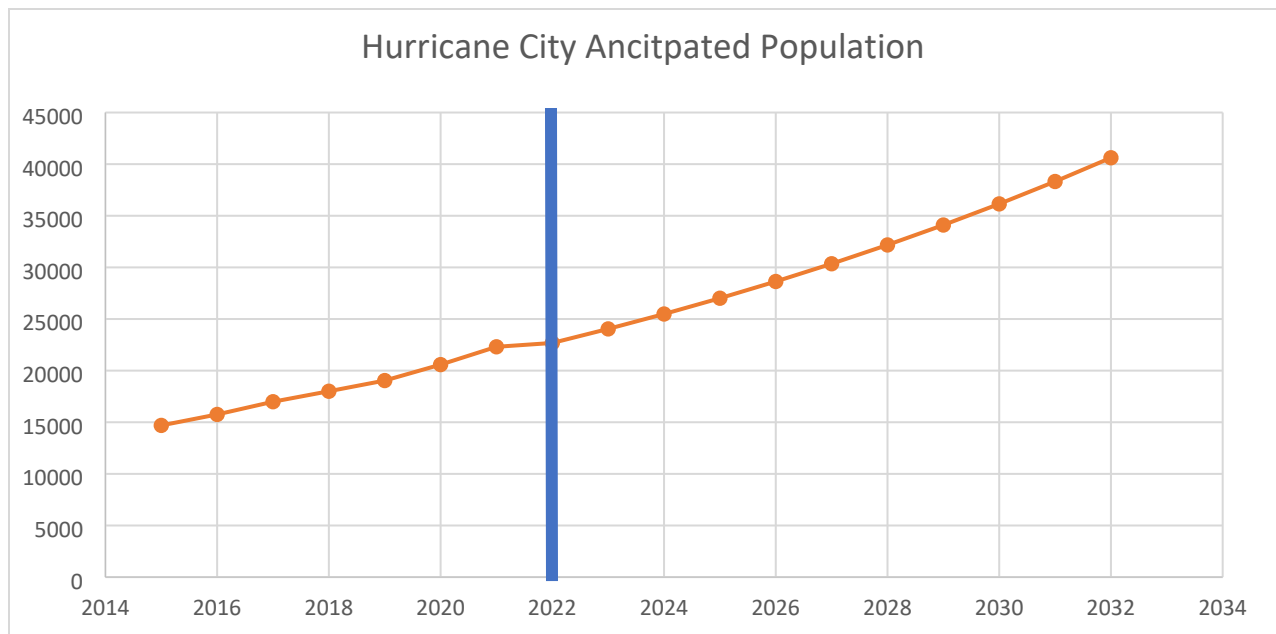
homes to lower the price of the home's construction. In addition, housing stock in the historic downtown area has remained some of the most affordable units within the City.

The City has also taken steps over the last few years to increase the housing diversity within the City. Some of these steps have included approving apartment complexes, mixed use and master plan developments with multiple housing options, and expanding multi-family developments. This can most clearly be seen in the following table showing the building permits' type and number. The City has also continued to allow for both attached and detached ADUs, helping both property owners and potential renters.

Number of Building Permits Issued

Year	Homes	Twin Homes/Townhomes	Condo's	Commercial	Total
2022 (Jan- May)	70	53	15	11	149
2021	492	132	15	40	679
2020	412	160		35	607
2019	313	44		25	382
2018	313	37		15	365
2017	349	25	51	10	435
2016	364	2			366
2015	296	6	18	1	321

Growth within Hurricane City



(This table represents a population estimate of Hurricane City based on the number of building permits issued each year with an average of 2.7 people for each household and closely correlates with census estimates)

Hurricane City has experienced a high growth rate over the last few years, with a record number of building permits issued. The number of building permits in 2020 and 2021 has dramatically risen. The City has also seen a rise in different housing types with an increase in townhomes and the completion of the first large apartment complex in 2021 and a second large complex that began construction in 2021. The current housing demand has put pressure on the housing market and is one factor in the rise of housing costs.

Short Term Rentals

Number of Licenses June 2022	
Short Term Business Licenses	400
Total	
Breakdown	
Residential Hosting	108
Commercial	10
Resorts	214
Number in Single Family	66 (2 pending)
Applicants on Waiting List	76

Hurricane City allows for property to be rented out as vacation or short term rentals in three ways:

- As part of a resort development or in commercial areas
- In Single Family Neighborhoods: limit to three licenses for every 1000 residents
- Residential Hosting: A homeowner can rent out a section of their home or ADU for guests.

The table shows the number of issued licenses for each type of allowed short term rental unit and the number of homes currently on the waiting list for single family licenses.

The City has approved 5,214 resort units, most of which have not been built. In 2021 and 2022, the City took proactive steps to limit the further expansion of resort units.

- The City updated its Recreation Resort Zoning to provide enhanced guidelines for future zone change requests and updated the standards of the ordinance to mitigate impacts from resort developments.
- The City updated its code enforcement policy from a criminal citation to an administrative citation to allow for better enforcement for short term rentals operating in violation of the Hurricane City code.

The table below shows the vacancy rate for housing units within Hurricane City. As the table shows, the number of for rent and for sale vacancies have remained the same or even have gone down, which is anticipated in a competitive market. However, seasonal, recreational, or occasional use numbers have continued to rise within the City.

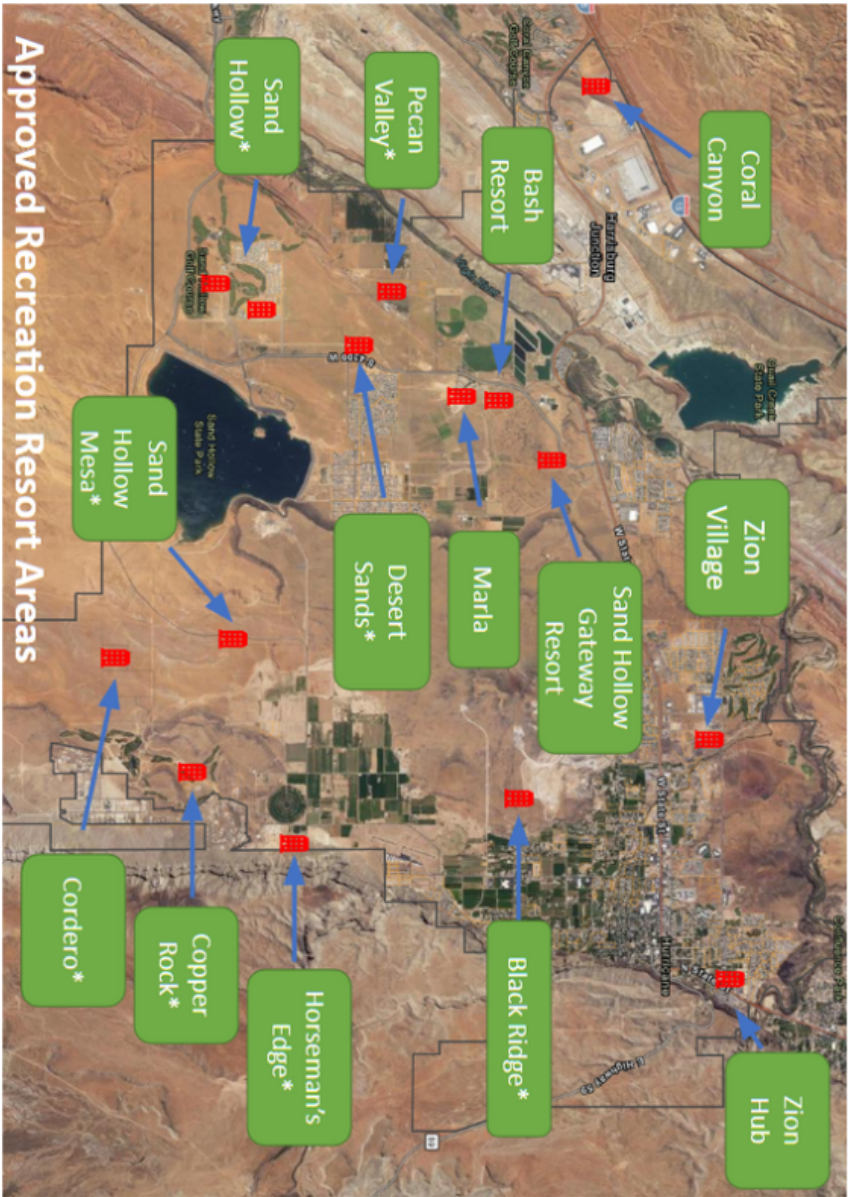
	2010	2015	2020
Total Housing Units (occupied + vacant)	5129	5711	7131
Total Occupied	4538	4766	6142
Owner-occupied	3573	3193	4442
Renter-occupied	965	1573	1700
Total Vacant	591	945	989
For rent	50	49	46
For sale	84	36	24
Rented or sold, awaiting occupancy	0	164	0
For seasonal, recreational, or occasional use	308	502	705
Other vacant	149	194	214
Vacancy Rate	11.52%	16.55%	13.87%

Source: ACS 5-year Estimates - 2010, 2015, 2020

B25004: Vacancy Status

B25118: Tenure by Household Income in the Past 12 Months (in 2020 Inflation-Adjusted Dollars)

Recreation Resort Areas in Hurricane



Recreation Resort Zones	
Development	Approved Number of Units
Bash Resort	353
Black Ridge	247
Copper Rock	774
Coral Canyon	140
Cordero	345
Desert Sand	354
Horseman's Edge	15
Marla	121
Pecan Valley	447
Sand Hollow	702
Sand Hollow Gateway Resort	885
Sand Hollow Mesa	707
Zion Hub	35
Zion Village	89
Total	5214

*Indicates development is a mix of long term and short term housing

Anticipated Housing Needs

With the growth in Hurricane, rising prices, and the limited number of homes and rentals on the market, Hurricane is facing a housing crisis. Many individuals and families struggle with finding adequate and affordable housing. The data below shows estimated housing deficits for Hurricane's Median Income, and then the following sections show Cost Burden Household based off Washington County Area Median Income (AMI).

Housing is considered affordable when no more than 30% of a household's income is spent on housing and utilities. Affordable Housing is housing that those making 30%, 50%, and 80% of the area's median income can afford a housing unit without spending more than 30% of their income.

Two types of Affordable Housing

Market Provided (Naturally Occurring) Units: These units are available on the open market and are affordable.

Dedicated Affordable Units: These units have some deed or government restrictions to maintain affordability.

Washington County Area Median Income

2022	Median Family Income	Median Income Percentage	Person in Family	
			3	4
St George UT Area	\$83,900.00	30%	\$23,030	\$27,750
		50%	\$37,350	\$41,450
		80%	\$59,700	\$66,300

(This Table was provided by HUD:

<https://www.huduser.gov/portal/datasets/il/il2022/2022summary.odn>)

Affordability Housing Cost for Spending No More Than 30% of Monthly Income

		Affordable Monthly Payments for Household	
Median Income Percentage		3 Person	4 Person
	30%	\$ 575.8	\$ 693.8
	50%	\$ 933.8	\$ 1,036.3
	80%	\$ 1,492.5	\$ 1,657.5

Affordable Housing Gap

2020 Shortage	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units Gap	Available Units Gap
80% AMI	875	1465	805	590	-70
50% AMI	615	500	270	-115	-345
30% AMI	405	205	70	-200	-335

2021 General Plan

As the tables above show, there is currently housing deficits for all ranges of housing. The following table shows the anticipated need of additional units from 2020 if no new units are added.

Year	30% Additional Housing Units Needed	50% Additional Housing Units Needed	80% Additional Housing Units Needed
2020	70	345	335
2021	74	362	352
2022	77	380	369
2023	81	399	388
2024	85	419	407
2025	89	440	428
2026	94	462	449

The following information shows the number households that are Cost Burden within the City and are currently pay more than 30% of their monthly income on housing. This data illustrates that even though many household have found housing within the City, they are still burdened by the high cost of rents and mortgages.

Cost Burden Households

Income by Cost Burden (Owners and Renters)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	350	295	535
Household Income >30% to <=50% HAMFI	165	90	520
Household Income >50% to <=80% HAMFI	575	75	1,230
Household Income >80% to <=100% HAMFI	154	4	595
Household Income >100% HAMFI	110	25	2,885
Total	1,354	499	5,765

Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	235	220	315
Household Income >30% to <=50% HAMFI	70	15	220
Household Income >50% to <=80% HAMFI	240	35	415
Household Income >80% to <=100% HAMFI	10	0	140
Household Income >100% HAMFI	0	0	620
Total	555	270	1,710

Income by Cost Burden (Owners only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	115	75	220
Household Income >30% to <=50% HAMFI	100	80	300
Household Income >50% to <=80% HAMFI	340	45	815
Household Income >80% to <=100% HAMFI	149	4	455
Household Income >100% HAMFI	110	25	2,265
Total	814	229	4,055

*Cost burden is the ratio of housing costs to household income. For renters- housing cost is gross rent (contract rent plus utilities)

*For owners- housing cost is "select monthly owner costs" which includes mortgage payment; utilities; association fees; insurance; and real estate taxes.

(These tables were provided for CHAS DATA from the 2014-2018 Period:
<https://www.huduser.gov/portal/datasets/cp.html#2006-2017>)

From the data provided above, it is clear that we Hurricane residents are facing increased housing cost, which is requiring many to spend more than 30% of their income to afford a place to live. From public input, many residents reported making difficult housing choices to find places to live, including spending more than they can afford, living with family and friends, and postponing buying a home.

Public Input

The City sought public input in a couple of ways during the process of creating this plan. The main ways were

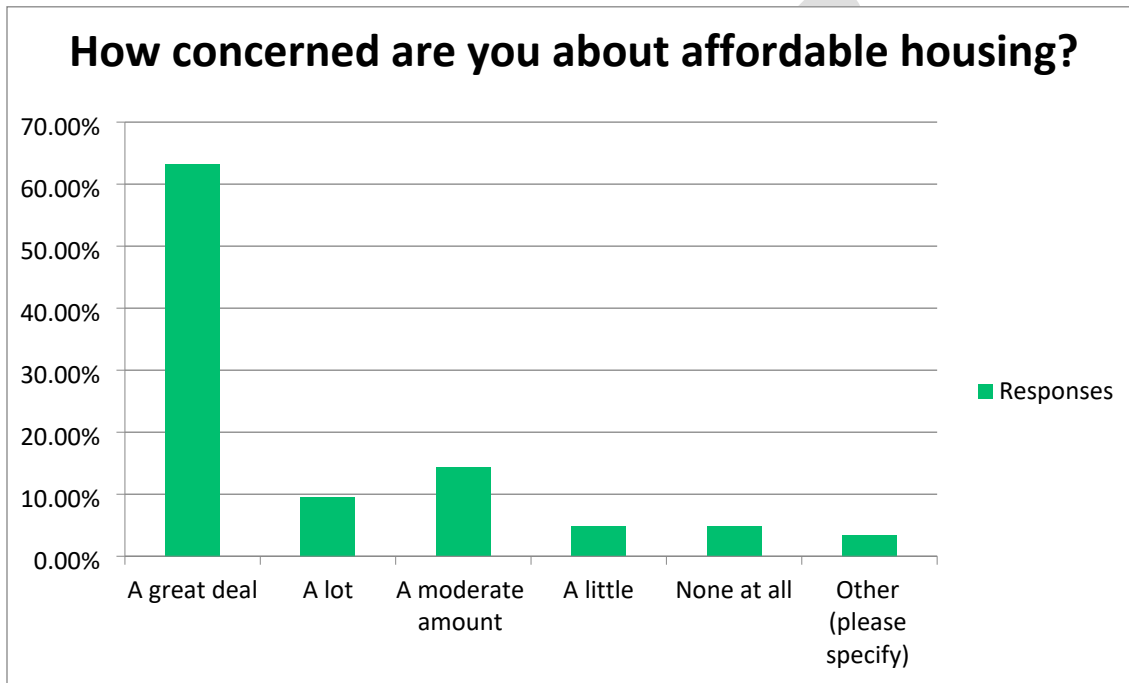
- A steering committee made up of residents, business owners, housing nonprofit organizations, developers, elected and appointed representatives, and city staff
- An online survey
- A public open house
- A table and survey distribution at the Mayor's State of the City

- A public hearing with the Planning Commission

The following are a summary of the feedback.

Online Survey

The City obtained 148 online survey responses (full results are in Appendix A). A vast majority of those who participated in the survey had some concern about housing costs within Hurricane City, with 63% indicating the highest level of concern listed within the survey.



The City obtained 148 online survey responses (full results are in Appendix A). A vast majority of those who participated in the survey had some concern about housing costs within Hurricane City, with 63% indicating the highest level of concern listed within the survey.

In addition, about 67% of respondents indicated that they felt that there was inadequate affordable or accessible housing in their area. The following are some of the responses to the question "Do you feel that there is adequate affordable/handicapped accessible housing in your area?"

No I have been searching for a place of my own but everything is out of my budget. I work for Zion but may need to move to st george to find any home for under \$1600 a month

A lot people including myself can't afford to pay the 2k a month rent as most are either newlyweds or college students who don't make enough

Most of them are on a fixed income houses are to much to buy and housing wait list is too long not enough places for them to rent without a long wait list

When presented with a list of policies that the City could implement, the following four options were the most popular:

- Work to preserve existing and new affordable housing
- Continue to allow accessory dwelling units (apartments on a single family lot, like a casita, basement apartment, mother-in-law suite, etc) to be allowed in single family zone.
- Work with nonprofit housing organizations for the construction of new affordable housing
- Provide incentives to developers to provide housing units ensured to remain affordable

The least popular options presented were:

- Lower parking requirements for higher density housing
- Rezone for higher density or affordable housing development in mixed use areas (areas with commercial and residential)

When asked, "What is your biggest concern about housing within Hurricane City?", there were some main themes from the public. One of the main concerns mentioned was short term rentals and seasonal occupied housing. Another concern was the need to provide commercial development near new housing projects. One of the comments that helps summarize these points:

There is a housing boom right now that is putting a huge demand on new houses but the people buying them are not living in them. They are closing and putting them for rent at outrageous prices. I fear the housing growth has been outpacing the growth of everything else. Soon this town will just be spots of housing developments with nothing but desert in between. Hurricane needs to prioritize building commercial areas to serve all the housing. At this rate even if affordable housing is created and managed, it will be in a good desert and be an unrealistic situation for someone in need. I expect better community planning to ensure that once homes are built they are filled with people that are going to stay, not rent out their homes to tourists

Open House

The City held a public open house on June 8th, 2022. At the open house, members of the public had the opportunity to come and leave public feedback and discuss housing needs with City Councilmembers, Planning Commissioners, and City Staff. Habitat for Humanity also participated, set up a table, and provided information about their mission and housing needs in the area. The City created posters with information and allowed residents to write ideas down and place stickers on policies they would likely support (these results are in Appendix A). Some of the policies at the open house that were most supported were:

- Work with nonprofit housing organizations for the construction of new affordable units
- Continue to allow accessory dwelling units to be allowed in single family zones

While there was one less popular option:

- Construct and manage City/Nonprofit owned affordable housing projects

Other options presented received similar support.

On open ended questions, there were many concerns about the affordability of housing within Hurricane. Many residents were concerned about the number of short term rentals within the City. Support was voiced for allowing a mixture of housing types in many neighborhoods.

Strategies and Policies

Housing affordability is a problem Hurricane City residents are currently facing, with no single clear solution to resolve either short-term or long-term housing issues. As such, Hurricane City will take a multifaceted approach by adopting several strategies with underlying policies to address housing considerations.

These policies were selected by the steering committee after reviewing options within state law and reviewing feedback from the public.

Policies

Accessory Dwelling Units (ADUs)

1. ***Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;***

and

2. ***Eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section [10-9a-530](#);***

Policies Recommendations

- The City currently allows ADUs within all single family zone. Both for attached and detached. These units may be used for short term or long term rentals.
- In May of 2022, the City changed the code to allow for lots that are .8 acres or larger to have two ADUs on the property, requiring that at least one can only be used for long term rental.
- The City in May of 2022 now allows the property owner to live in the ADU or Primary unit if the other unit is for long term rentals.
- The City currently does not charge impact fees for the construction of ADUs unless there is an upsize in the utility meter. This plan recommends that the City not adopt impact fees for any ADUs used for long-term rentals.
- Create regulations to limit short term rentals, and look at impact fees or caps in numbers. Provide other incentives for long term rentals in ADUs.

Development Incentives



3. Implement zoning incentives for moderate income units in new developments

Policy Recommendations

- Evaluate an inclusionary zoning incentive for new developments to build affordable housing for those making 80%, 50%, and 30% of Washington County AMI.
 - Add density bonus for Planned Development Overlay for affordable units. These incentives could include deed-restricted units or units that nonprofit housing organizations will construct.
 - Create incentives for developers to pay fees into a housing fund that could help support the creation or construction of affordable units.
 - Evaluate density bonus incentive for affordable housing within the Planned Commercial Mix Use Zone.
 - Look at allowing land transfers for density bonuses or using Transfer of Development Rights to create more affordable developments in exchange for keeping other property open.

4. Reduce, waive, or eliminate impact fees related to moderate-income housing;

Policy Recommendations

- Do a full review of impact fees for the City and associated districts that charge impact fees within the City.
- Do a financial analysis to study the effects of varying levels of impact fee waivers or reductions.
- Review a variety of options for reduction, waiving, or eliminating impact fees for affordable units.
- Review a policy for deferred impact fees with the possibility of waiving the impact fees after meeting specific terms specified in an agreement.
- As Impact fees are updated, include affordable housing elements with reduced impact fees for qualified, affordable housing units. This can happen as the City updates its impact fee schedule. The City is scheduled to review and update water, parks, and transportation impact fees by July 2023.
- Review and apply for state grants to help compensate for any revenue loss.

Mixed Use Development

5. Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;

Policy Recommendations

- Create a Downtown Master Plan and review housing policy within the downtown. Consider eliminating or reducing single-family zoning for infill development and creating mixed-use standards within the downtown. The Downtown Master Plan is scheduled to begin in August 2022 and is anticipated to take six to eight months.
- Look at areas where “Missing Middle Housing” and mixed-use zones can be implemented within existing and future residential and commercial developments. Areas for review include new

development along SR-7, Sand Hollow Road Commercial Areas, and around 3400 W on the north side of SR-9.

- Review the Planned Commercial Zoning density bonus factors.

Land Trust Programs

6. Demonstrate creation of, or participation in, a community land trust program for moderate income housing;

Policy Recommendations

- Review City owned property that may be developed for affordable housing, including the recently purchased 15 acres adjacent to City Hall.
- Coordinate with Southwest Utah Land Trust for possible expansion into Hurricane.
- Look at using the Olene Walker Fund and other nonprofit/government resources to construct affordable housing.
- The Utah Housing Coalition.

Preservation of Existing and New Moderate-Income Housing

7. Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed-restricted units through a grant program, or establishing a housing loss mitigation fund; (From the public)

Policy Recommendations

- Hurricane City should create a Good Landlord program within the City and provide incentives for landlords to participate.
- Look at providing incentives for low-income households for the maintenance of their property.
- Look into state and federal programs that may provide grant opportunities.
- Review historic housing areas and ensure their continued use is allowed within the underlying zone.
- Look at implementing grant programs to help maintain the facades of historic buildings and housing within Hurricane City.

Alternate Options

(A-1) Limit Short Term Rentals except in Recreation Resort or Approved Planned Development Overlays

- Look into local ownership limitations
- Limit expansion of short term rentals to the current total number of licenses with no increases
- Continue to evaluate resort standards to limit the growth of resorts within the City.

(A-2) Work with nonprofit housing organizations to construct new affordable units.



(January 21, 2022. Ribbon cutting for a home construct through Habitat for Humanity in Hurricane City)

- Provide incentives for developers to partner with non-profit housing organizations to provide lots for construction.
- Partner with nonprofits to help develop City owned property for affordable housing options.
- Waive or defer impact fees for homes built by nonprofits building guaranteed affordable units.
- Partner with non-profits for public awareness campaigns

(A-3) Reduce barriers for owner builder

- Review barriers that prevent owner builders from building
- Reduces requirements that do not conflict with building code or state code.

Implementation Schedule

Time Frame	Item	Steps
Current	ADU Regulation	Look at ways to encourage long term rentals Keep attached and detached ADUs as permitted uses within single-family zones Track new ADU construction and work to create a list of all ADUs
Summer 2022-Spring of 2023 Adopt Zoning Code and Standards as Downtown Master Plan Recommends	Downtown Master Plan	Update Downtown Master Plan and recommend standards for housing, mixed use development, and create recommendation for design standards. Consider eliminating or reducing single family zoning in downtown area. Follow implantation plan form within the General Plan
Summer of 2023	Inclusionary Zoning Policy	Add density bonus for Planned Development Overlay for affordable units. This could include deed-restricted units or units that will be constructed by nonprofit housing organizations. Create incentives for developers to pay fees into a housing fund that could help support the creation or construction of affordable units. Evaluate density bonus incentive for affordable housing within the Planned Commercial Mix Use Zone. Look at allowing land transfers for density bonuses or use Transfer of Development Rights to create more affordable developments in exchange for keeping other property open. This policy should be reviewed and implemented by the Summer of 2023.
Spring of 2023	Good Landlord Program	Create a good landlord program offering discounts on business licenses for landlords that complete course.
Fall of 2023	Grant Programs	Look for state and federal funding to allow for maintaining of affordable housing. Prioritize those who complete Good Landlord Program City should consider establishing their own program Edit its first time home buyers program

2024	Waiving Impact Fee	Do an analysis of revenue generated by impact fees and provide estimates of cost to the City by waiving impact fee for affordable units Create and adopt a policy where affordable units and units constructed by charities are provided an impact fee waiver or discount.
Summer 2024	Community Land Trust Program	Evaluate Hurricane City property and evaluate if any existing property can be used for housing options, including a portion of the 15 acres adjacent to City Hall Coordinate with existing housing programs and charities for partnership to form the trust.

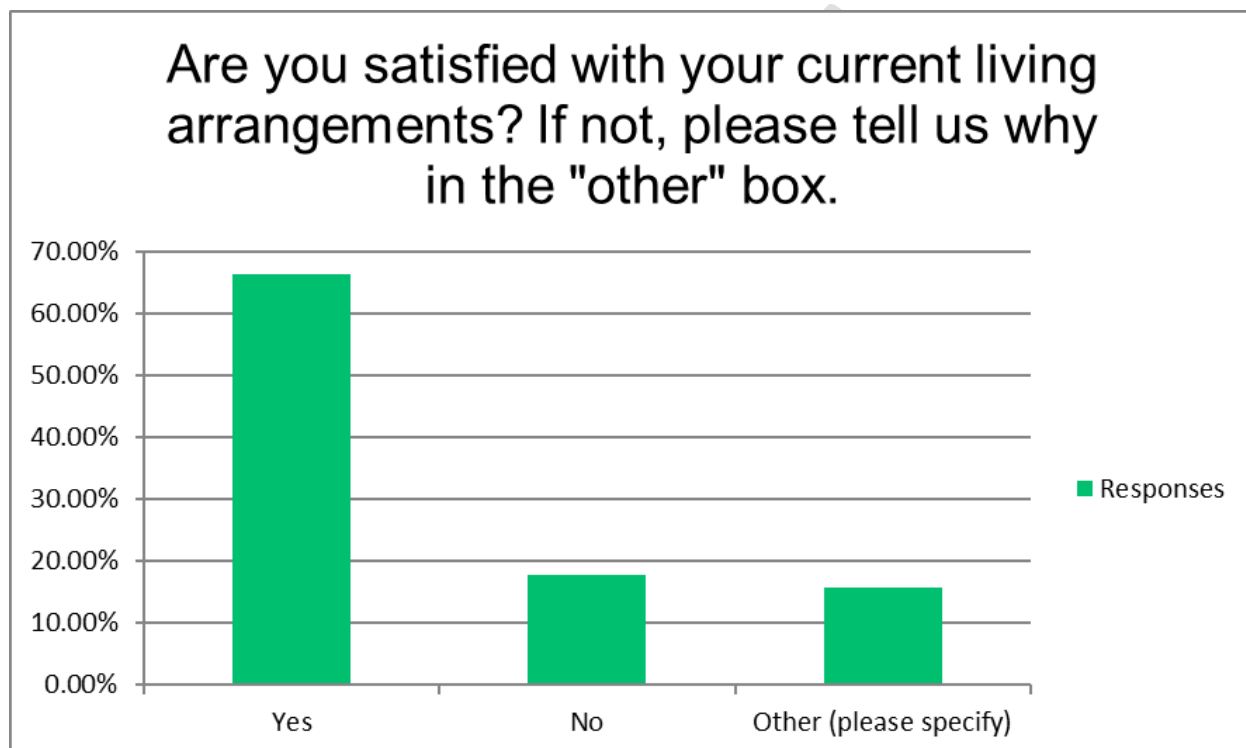
Conclusion

Hurricane City is facing an affordable housing crisis, leading to many families paying more for housing than they would otherwise and excluding many from the current housing market. The City is committed to taking steps to increase housing options within the City and allowing more affordable options as part of new developments. The City is also committed to taking steps to maintain the existing affordable housing stock. The City believes that by implementing the strategies within the General Plan and this plan, it can work toward meeting the housing needs of all its residents.

Appendix A

Public Input

Online Survey Results



Are you satisfied with your current living arrangements? If not, please tell us why in the "other" box.

I would like to live in a house with a yard

Hurricane needs to keep up with the mass amount of people moving here OR stop allowing building of new homes. With all these new people here has the police dept hired more staff because you're going to need it. Cars are getting stolen and broken into around my area off 3700

Rent was raised this past year while nothing was changed in the house. It has all original appliances and carpets from over 20 years ago!

Rent too high

It was very expensive for an older home in an older neighborhood

It's too small but all I can afford

Lack of washer/dryer and sheltered parking.

I want to live in a house but nothing is reasonable

Not enough space.

I want a house with a yard and enough space inside for my children as well

I would love to live in a gated community that has a hoa to keep trashy neighbors out that don't want to take care of a yard

I would like to have more property and to live in a more rural place.

Other than the price for rent, yes I am satisfied.

I live with my mom to make ends meet

I have to rent out a room to afford to eat

dont like shared driveway

Renting until we can afford to buy a house

Poor it lack of, repairs.

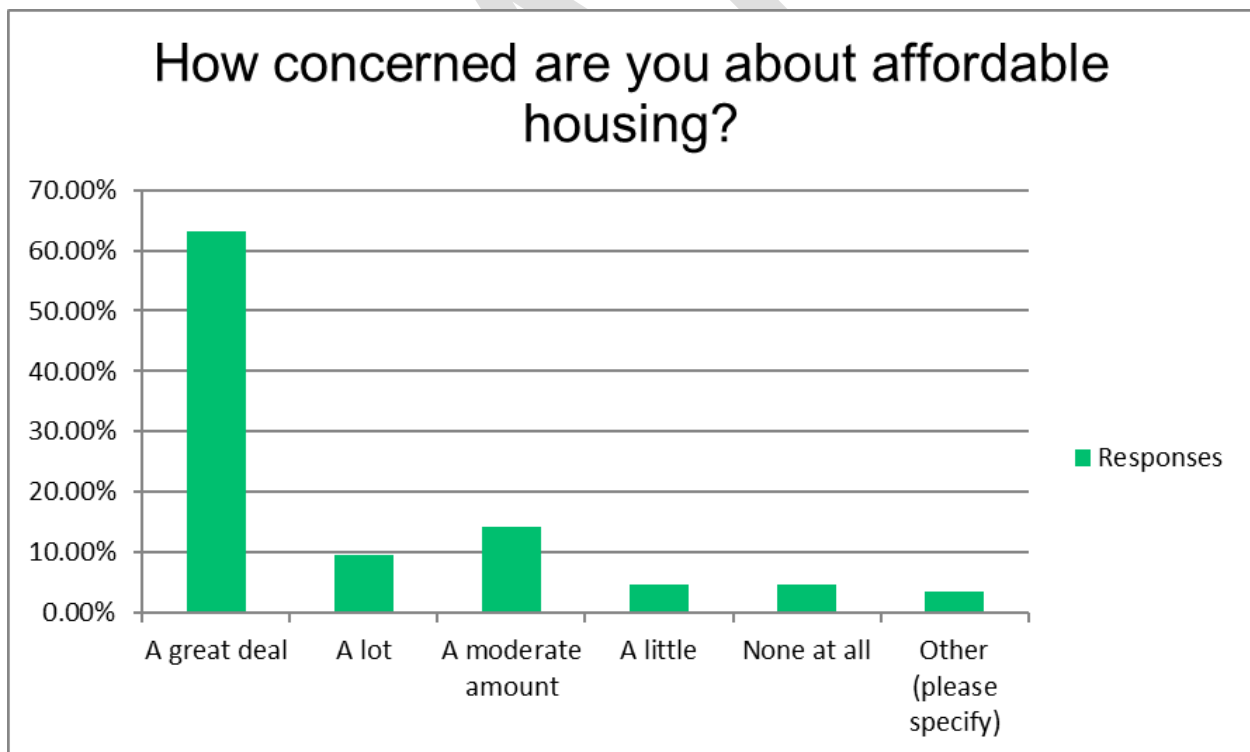
Rent is high

I have to live with my parents to be able to afford a place to live.

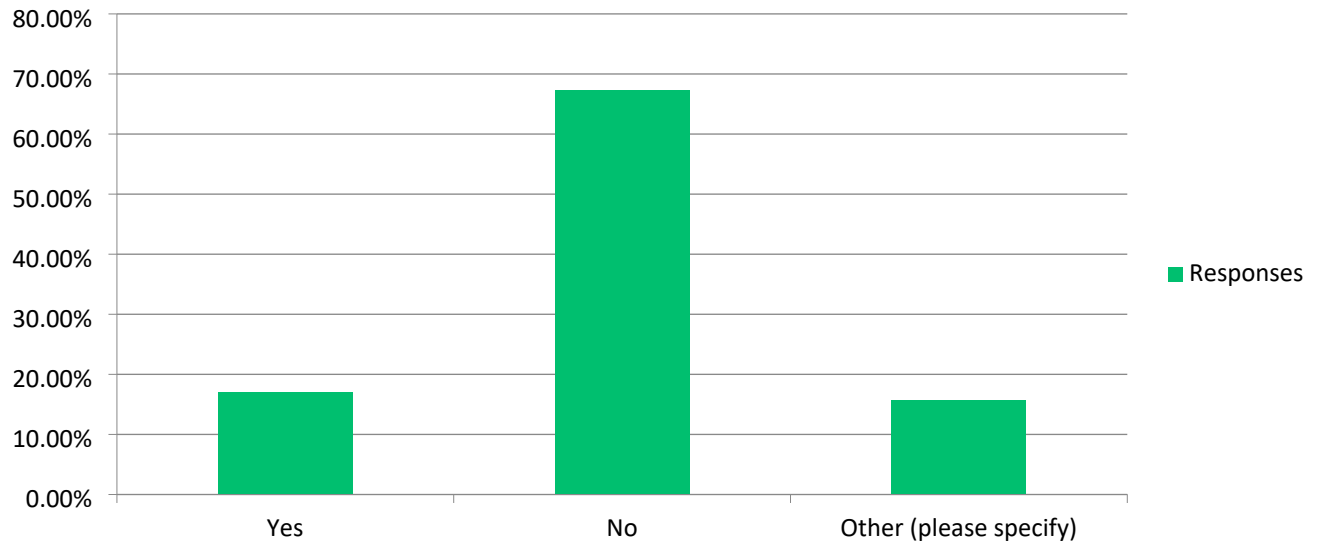
My lot rent keeps going up so high I can barley make enough to feed my kids

Would rather have house with more parking

I live in my parents casita, it's small but it's affordable. I would love to get a townhouse or duplex, but not when they're \$400k+.



Do you feel that there is adequate affordable/handicapped accessible housing in your area?



Do you feel that there is adequate affordable/handicapped accessible housing in your area?

I dont know

No I have been searching for a place of my own but everything is out of my budget. I work for Zion but may need to move to st george to find any home for under \$1600 a month

The wait lists to get into any housing are outrageous, if there even open.

Not sure

Most of them are on a fixed income houses are to much to buy and housing wait list is to long not enough places for them to rent without a long wait list

A lot people including myself can't afford to pay the 2k a month rent as most are either newlyweds or college students who don't make enough

So what if there isn't we are the city for them.

Not sure what is available

Nothing affordable for families

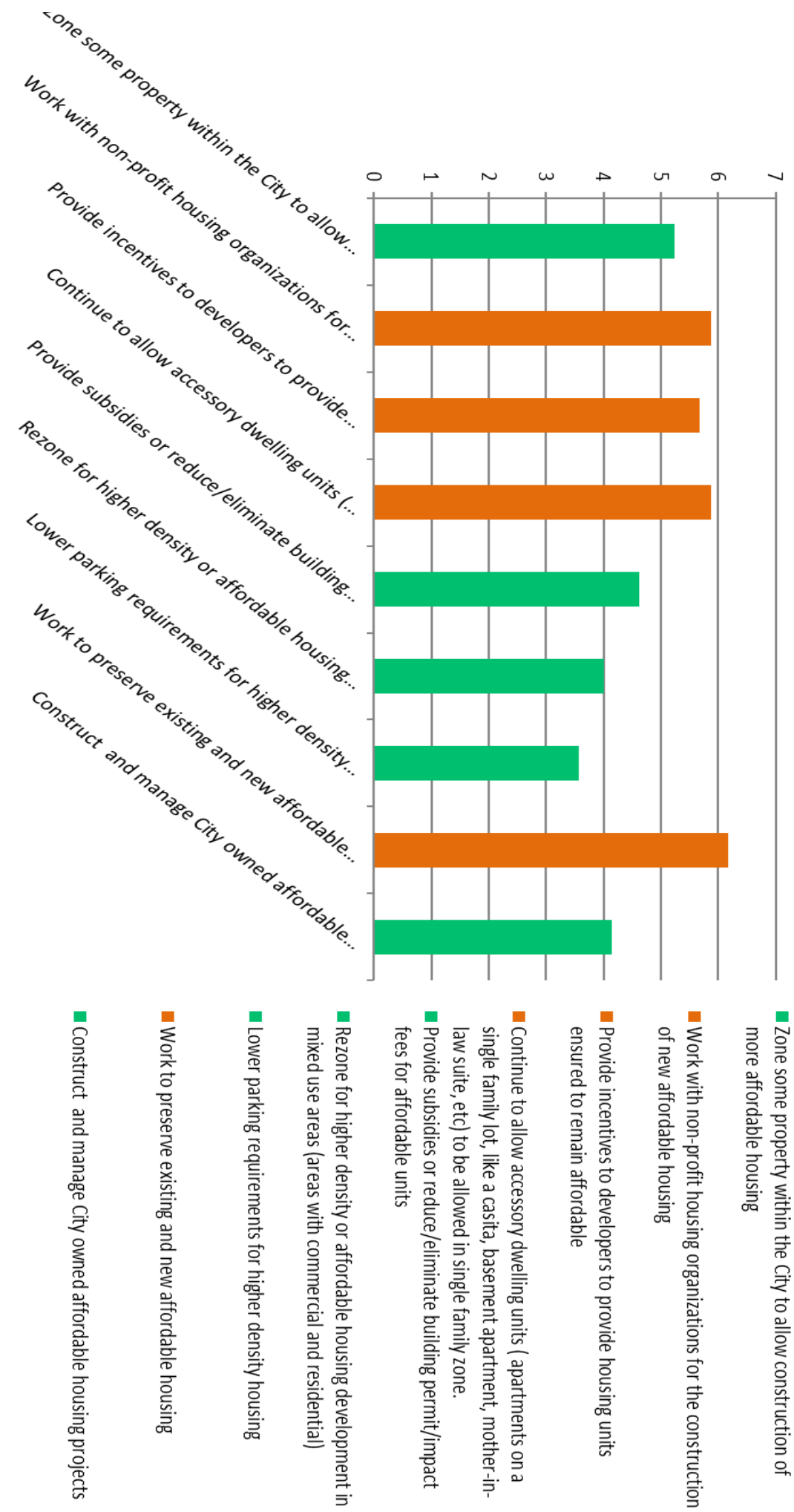
I would guess no, but I have no idea

Not familiar with this

Don't know

They fill up too quickly.

State law requires the City to adopt an Affordable Housing Plan. Within this plan, the City is required to create policies to address affordable housing issues within the City. Please rank the following policies for those you think the City should priorit



What is your biggest concern about housing within Hurricane City?

Open-Ended Response

Too expensive to buy and to rent

Would love to see opportunities for more affordable housing/rentals in the area so younger generations and service related jobs and employees can stay in the area.

The developing of the housing is so fast that the City Engineers do not have the appropriate amount of time or effort into the review of the plans.

Not enough affordable housing

That there will be no way any average family can afford a single family detached home or even a townhouse because of the people buying out houses for investment properties.

Cost is going to high

The allowed growth is outpacing infrastructure. The push for housing with very little commercial to support new homes and people in the area. The city needs to rethink strategy and create Hurricane into a boutique city. We do not need more homes or people. We need more jobs. We need more industry. We need to slow growth and allow home prices to skyrocket to keep Utah as Utah! Stop Californiacation of Hurricane!

Not enough rentals available and price too high for newly married couples

Public streets not improved by development and a lot of the roads need upgraded already.

Need smaller units that are affordable to young families, police, teachers, etc.

Mixing low income in with homes that people worked thier whole life to buy.

That housing prices and costs will outpace the wages of the working residents of Hurricane city. Those moving in from out of State will be the only ones able to afford the houses and that working resident will be forced to move to a less expensive area.

I am a single adult and I can't find an apartment to live in Hurricane that matches my budget. I am a teacher and want to live in the area.

There is a housing boom right now that is putting a huge demand on new houses but the people buying them are not living in them. They are closing and putting them for rent at outrageous prices. I fear the housing growth has been outpacing the growth of everything else. Soon this town will just be spots of housing developments with nothing but desert in between. Hurricane needs to prioritize building commercial areas to serve all the housing. At this rate even if affordable housing is created and managed, it will be in a good desert and be an unrealistic situation for someone in need. I expect better community planning to ensure that once homes are built they are filled with people that are going to stay, not rent out their homes to tourists or have to leave due to lack of proximity to other basic amenities or public transit.

It's not affordable for people my age due to unfair pay and landlords over charging. I am 21 and I make 30,000 a year and am engaged and we cannot afford anything here.

There is to much development happening. Farms are shutting down so subdivisions can be but on the land. Hurricane should focus on being little old hurricane.

Infrastructure, traffic, lack of grocery stores, shops, home depot, water, pollution etc

Devolopers don't care about the people of hurricane. One told me "we aren't building these homes for you guys" they are building them with California prices in mind to make a buck full on knowing we can't afford them here.

Losing the agricultural land. The price of houses being so high that middle class and young families cannot afford to buy. The city becoming a resort/unaffordable town like Springdale.

There is no regulation to what private companies can charge, apartment building especially. Everyone is being priced out
Need balance of residential and commercial. A lot of housing is going in but everyone has to commute to shop. Bringing in a balance would bring money to the city through sales tax. Concerned if infrastructure is being evaluated well for like water and roads. So many areas build first and do impact analysis after. Remember what citizens want too. Find balance. More parks and Rec. Indoor pool would be a nice add or a Rec center to have more for people to do.
Too expensive, not enough housing, pet friendly
Not enough affordable places to rent or buy
City officials and their families are making huge profits from unsustainable housing development. Hurricane is not a small town anywhere and our local government used their greed in gaining tax revenue that created the problems we face.
To many short term rentals and not enough affordable housing for the middle income
Traffic increases
Too expensive
People can't afford housing in the city because wages don't allow it. Kids have to live with parents cause can't find affordable housing when they want to be on own. Alot of people only see how much they can make on a dwelling which pushes the locals out.
I am very concerned with anything that will "bring the neighborhood down" (e.g., increased crime, graffiti, littering, traffic, noise pollution, etc.) We must battle to keep Hurricane as desirable (or actually more desirable!) than it already is. Thank you!
The low income options are too expensive for residents who are on fixed income like Social Security and disability.
It's too expensive for people afford especially those with pets and kids
Water is my biggest concern, next would be that we are allowing building at such a rapid pace that this town will lose it history and small town charm. The wrighting is all on the wall for our agricultural community, we will be just like Washington fields and Little Valley within the next 10-15 years. At the rate we are going this town won't be recognizable as the charming small town I have spent my entire life in. So sad to see happening.
The high growth rate for high income housing
Not enough long term rentals. Young people have no affordable place to rent (not just young people) but if we want to keep our families in the area, the corporations have to stop vacation rent along every property that comes up for sale. It's a sad sad thing for community.
The infrastructure is lacking. Quit building until we have the water and roads necessary to sustain growth.
Too expensive and lots are too small
Rent is ridiculous. Families are reduced to poverty because of costs.
Price
We will run out of water and end up a ghost town.
To expensive for children of current residents to stay
To many new homes and not enough water or roads
To much growth way to fast, everything is unaffordable. We're lucky to be able to pay rent now

There is new housing every where. Where are they getting their water. The problem is getting worse, less and less water. 7000 new units and where is the water coming from
Less farming, no WATER High traffic affordability
The growth is too rapid
There isn't enough in general. And what there is, is way out of affordability for what is being paid by most local businesses.
There is too many houses, too much growth, and it's all too expensive. Slow growth is understandable, but so very much in last few years
It will never be possible for my children, who are just becoming adults, to move out
There is no way that we could ever buy a home on the income that we have. Income has not increased to match the housing increase costs. If we didn't rent from my parents we couldn't afford ANY housing in So UT
Prices too high and crowding
Too many corporations buying up all the housing and then renting it out at a huge rate
Single mom with a decent full time job can not afford to rent or own without having roommates
Air B and B's are taking all the available housing. No sooner that a home becomes available for sale sure enough someone snags it for a B and B. We have people living in RV's hoping to find housing because the city doesn't have a plan for B and B's. St. George has designated areas for this. No one wants their neighborhood to become a hotel zone but that is exactly what is happening. No one in city seems to have a clue (city planner -manager need replaced?) Just another reason Hurricane is considered ghetto. Please allow a planned area for B and B's so that we can once again enjoy family neighborhoods and people can purchase these homes for their families.
Affordability
Too much
Prices are too high for locals to purchase.
Too many short term/vacation rentals
That the impact fees are not high enough to cover the cost of needed infrastructure.
The city's lack of concern for home owners. The city surrounds hard working home owners with pawn shops, dollar stores, rv camping sites, and the like with no border between them. An acceptable solid barrier is prison fencing with mesh that blows off within weeks. Hurricane will be north Las Vegas within 10 years.
Pricing Utah families out of the market. People moving in from California if they sold their home there can afford a home here.
Too many homes that are unaffordable
Water
Growth is happening too fast.
its too expensive for what is available and offered in the homes or apartments
No water
Finding a house for my family
Property Value is crazy High! out of control nothing good is going to happen from this I do not think there is an answer

Prices are out of control. It will crash
Growing too fast, ridiculous pricing, and limited resources that are not sustainable.
Too much random rezoning. Housing being built in the name of 'affordable housing' is too expensive for buyers.
Prices are outrageous
Nothing is adorable, yet the city is growing too fast.
Having enough affordable housing
The average educated worker in Hurricane will not be able to afford a decent home here. We will all get pushed out and then in turn have no work force. A starter home is not 500k.
Being a single mom, it is hard to find anything that is within a single income that I can even rent and keep my sons dog that helps with his night terrors
The working wages are too low and the housing costs are too high it's not sustainable something has to be done.
Costs not being affordable
Density
People finding affordable housing. Also I really am against all the Air B&Bs. Especially the illegal ones. Or turning the older part of Hurricane and the pioneer houses into them or making businesses out of them. It's not fair to people who have purchased a home in that area to have to put up with the noise and traffic.
Rising prices
Too much new homes that locals can not afford
Too many people no homes for my children
Cost of living is up. Wages are low!
Too much growth too fast. If we want families to live here we need to increase lot size. Kids need yards to play in, and room for gardens. Not everyone is retired and want these postage stamp sized lots.
Too fast of growth for water and too much traffic.
Too much construction too fast
No pets
Very little affordable housing for young families
WATER IS A BIG CONCERN TO ME
Price of buying a house
Investors owning homes that would normally be locally owned or rented.
How do we do affordable housing without overcrowding the area?
growing way too fast.
It's way too expensive for my children to move out of my home.
Building too fast
Traffic congestion! We moved here from Sy George due to the city's own small town proclamation. Please don't succumb to developers desires and making this nice "smalltown" just like St George .
It is not affordable for the average citizen let alone low income
Lack of affordable housing

No vertical building. Height restrictions could be adjusted for some apartment buildings (like in downtown St. George). Singles or young couples or seniors would welcome affordable apartment living with amenities.
Affordability and allowing too much construction
Affordable housing is unaffordable and unavailable. I feel this has a lot to do with the current lack of needed revisions to vacation rental regulations. I feel all vacations should be required to be owner occupied, or be required to license, insure, and tax the same way a hotel/motel would.
The green space isn't being maintained.
Not enough affordable housing for families.
Lack if affordable housing
High growth and high costs. Not enough affordable housing for lower paying jobs through out the city. Public safety not funded for the growth that has already occurred.
Too expensive
The amount of people coming in is a bigger priority than the people already here.
Corporate developers buying up homes for rental properties
We do not have housing that people that we need in our community to make it run can afford. For example, we don't have housing for people who work as police officers, paramedics, firefighters, teachers, etc.
Too much growth the city and area is unprepared for. We can't expect St George to support our community's needs (stores and services) if we are expecting to double (triple?) in size. We also need to get on top of our infrastructure and traffic control. Update our utilities (the power company still has people going from house to house reading meters instead of having an automation system in place, that's insane with how big we are getting). We need to think ahead instead of reacting to all the building.
Cost and number of dwellings. There currently are not enough available dwellings for rent driving up the cost of what is available
Is there enough water?
Cost to buy or rent is to high for anybody to buy which is driving young locals to look elsewhere.
I am concerned there will never be anything affordable for the working class to live in. I am also concerned for individuals that work to have an expensive home in an expensive area, only to have their home values plummet because "affordable housing" brought crime and destruction to their neighborhoods.
We need more business infrastructure to handle the growth. More stores, restaurants, doctors, entertainment venues, a better pool, and schools
High impact fees and policies biased towards developers tend to price individuals out of the market for being able to acquire or build housing that they can afford.
Lack of affordable housing, an attitude of 'not in my backyard' by residents.
Too much, too fast. Anything done with haste is not well planned for or analyzed enough to predict impacts for long term.
Prices are too high. Too much growth for our infrastructure and resources like water.
Too High and pay doesn't justify for it
Everything is so expensive we can barley live. I live in the sand hallow trailer park. Lot rent has gone up almost 300.00. They have not done anything that we were told they were going to do. No park, big holes in the roads, most houses are fire hazards, us as renters pay property tax, so why are they

allowed to raise the lot rent so high. I could understand if they actually cared about making it nice. Would be nice for them to be made to follow through.

Becoming a low-income, crime-ridden area. Reducing land and scenery to just build. We are the pathway to Zion National Park and should have an area that reflects that. Hurricane has huge city limits and current single family home areas should remain zoned for that and not re-zoned to increase population. There are no jobs to maintain that growth and what about water? How can we continue to build when there is a severe water shortage throughout the State?

Too expensive and not enough long term rentals, especially that allow pets

Too much high density going up and in areas it shouldn't be

There need to be penalties for nightly rentals (where nightly rentals are not allowed). It's my opinion that vacation homes are affecting single family home pricing. My family of four is currently living in a 2 bedroom house because anything bigger is absolutely astronomically priced. I'd love to be in something bigger since since my husband works at home then he could have an office space. But I have no hope of that happening anytime soon. Buying a 4 bedroom house now would break us financially and my husband has an excellent paying job.

Too long-term rental properties currently being used as vacation rentals.

It's too expensive

What affordable housing? There is none! We are a family for 3 make decent money can't afford even an apartment! Thank goodness my parents have an apartment that we rent for cheap. But this is a complete joke!

New business incentives to increase the shopping core in our town; more large stores, more mid-range food options (not drive thru).

Not enough affordable options. Too many vacation rentals.

not affordable for seniors/disabled that have only limited income

Availability and affordability

Too much traffic through town. New builds are not set back far enough to allow for parking that doesn't encroach onto the sidewalk and streets. Not enough parks in new neighborhoods to keep kids off the streets.

We need more freedom to do what we want with our homes...freedom works. Let it...stay out of the way and you will be surprised what can happen.

Unaffordable to work and live here, better wages and lower costs in other states and cities.

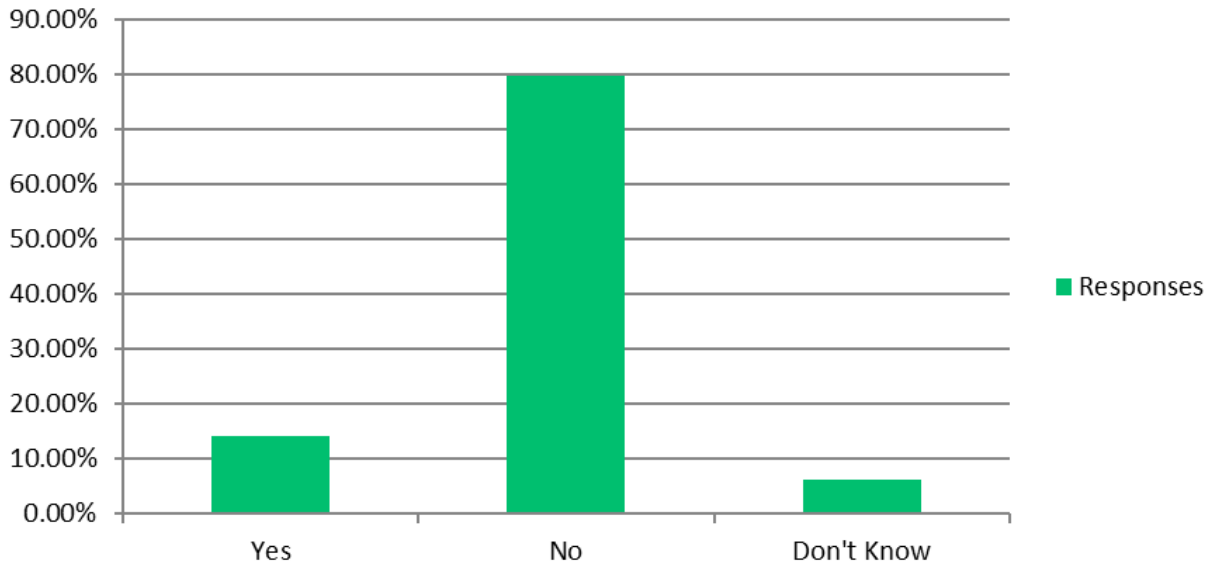
Affordable housing

We don't allow for higher density projects in town where people want to live to be close to the community center and other amenities.

600 North getting all the vacation rentals, affordable housing, etc it is a traffic mess! Terrible planning to put all on one street. Clear some of the old not desirable housing into affordable homes

Not enough affordable housing.

Would you be able to afford your current home if you had to move there today?



Public Open House Results

STEPS TO TAKE

WHAT IS YOUR MAIN HOUSING CONCERN IN HURRICANE?

Lack of affordable housing ^{yes}

- * Residents need to cooperate in allowing affordable housing to be built near them.
- City can contribute by having affordable friendly ordinances
- Developers can contribute by helping to provide affordable options other than condo style units.

* Lack of housing under \$1500/month
Too many vacation homes / Air BNBs but
no where for co-workers + self to live
to support local jobs + industry. ^{yes}
^{yes}

- Update City ordinances... key.
Make affordable housing a factor
when city considers increased
density and other accommodations
requested by developers

I think the density is too
grouped. I think it's healthier to
distribute more affordable housing
amongst SFRs - ex duplexes
+ 4plex next to or in SFR neighborhoods.
I just don't see that done and would like
to. The density is just too dense.

We've become a resort town. ✓
Cater more to the people who live
live and work here and not to the developers
who don't invest in the city. yes!

Big Corporations buying everything

^{yes}
^{yes} Lack of transportation ^{yes}

Hold Builders Responsible ^{yes}
to their word of lowering
prices if the city waves fees
or allows more homes
^{yes}

ditto
Too many short term
Rentals & apparently
little oversight
& Restrict
Air BNB's
NO Corporations
Air BNB

STEPS TO TAKE

WHAT STEPS SHOULD HURRICANE TAKE TO ADDRESS AFFORDABLE HOUSING?

Pass affordable friendly ordinances and incentives.

Lower impact fees
Impact fees so high no one
can afford it anymore for
affordable housing

Build more units that are
affordable ✓✓

Allow much smaller
lots like 20 lots/ac
with very small impact
fees ✓

DECREASE LOT SIZE REQUIREMENT ✓
LOT = 50% OF HOUSE SQ FT.
AFFORDABLE ZONE

BASE ZONING ON POPULATION INCOMES
IF 50% OF POP NEEDS AFFORDABLE HOUSING
THEN 50% OF ZONING SHOULD BE AVAILABLE FOR
AFFORDABLE ✓

A new kind of zoning that mixes
duplex, 4 plex that look like nice SFR's
mixed in w/ single family ✓

YES → Invest in a
public transit
system to enable
people to work
in St George

* More regulation!
Investment of Air BnB ^{yes}
properties.
Create more income based
housing complexes.
Make more high density
zones for affordable
apartments.

✓ Damages property rights

Be sure to invest in
Families - i.e. financial
management, care of the
home, Education
etc

WHAT POLICIES WOULD YOU SUPPORT

Work with non-profit housing organizations for the construction of new affordable units

32 Votes

This Means:

incentive?

- Provide *incentive?* for Developers to work with non-profits
- Look at City property for development by non-profits

Continue to allow accessory dwelling units (ADUs) (like a casita, basement apartment, etc) to be allowed in a single-family zone.

25 Votes

This Means.

- Continue to allow for attached and detached ADUs in single family zones
- Continue to not charged impact fees for ADUs

WHAT POLICIES WOULD YOU SUPPORT

Work to preserve existing and new affordable housing

21 Votes

This Means:

- Provide subsidies to affordable units
- Offer grant programs to help with upkeep of older units
- Improve infrastructure in old areas of town
- Start a good landlord program

Construct and manage City/Non-Profit owned affordable housing projects

11 Votes

This Means

- The City uses its own property to build and maintain housing at affordable rates
- Partner with Non-profit for construction and maintenance of homes on City property

WHAT POLICIES WOULD YOU SUPPORT

Zone some property within the City to allow construction of more affordable housing

18 Votes

This Means:

- Increased densities in some areas
- Allow more housing options for redevelopment
- Allow accessory dwelling units in single family zones

Provide incentives to developers to provide housing units required to remain affordable

20 Votes

This Means:

- Density bonus in developments for affordable units.
- Waive some development fees, including impact fees, application fees, building permit fees, etc

WHAT POLICIES WOULD YOU SUPPORT

Rezone for higher density or affordable housing development in mixed-use areas (areas with commercial and residential)

21 Votes

This Means:

- Allow some new areas to develop commercial and housing on the same property
- Look at allowing mixed-use in downtown

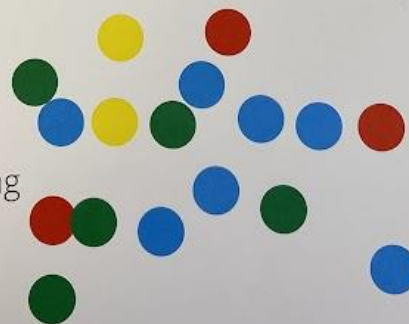


Provide subsidies or reduce/eliminate building permit/impact fees for affordable units

16 Votes

This Means:

- Waive Impact Fees for units guaranteed to be affordable
- Providing discounts on building permits for affordable units



Appendix B

Compliance Report

Utah State Code requires that Hurricane City adopt this plan and bring it into compliance with the standards within State Law. The following table outlines this plan's compliance with State Law.

State Law	City Compliance
The general plan of a specified municipality, as defined in Section 10-9a-408, shall include a moderate income housing element that meets the requirements of Subsection 10-9a-403(2)(a)(iii).	The City has adopted this Moderate Income Housing Plan as an appendix to the General Plan
On or before October 1, 2022, a specified municipality, as defined in Section 10-9a-408, with a general plan that does not comply with Subsection (3)(a) shall amend the general plan to comply with Subsection (3)(a).	The City has adopted this Plan on the September 15, 2022.
a moderate income housing element that: (A) provides a realistic opportunity to meet the need for additional moderate income housing within the next five years; (B) selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and (C) includes an implementation plan as provided in Subsection (2)(c);	(A) The City has workshopped and created goals and strategies within this plan that will help ensure that more affordable units will be built within the City. The City has also provided an analyses of future housing needs for the City over the next five years. (B) The City has selected seven of the menu options and three additional items to help address some of the unique needs of the area. (C) The City has included an implementation Plan with this document to reasonably accomplish the goals set out by the City.
(b) In drafting the moderate income housing element, the planning commission: (i) shall consider the Legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing: (A) to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and	The Planning Commission, as it considered the best options, took into the consideration the needs of people from a variety of backgrounds. The Plan is designed to help integrate affordable units throughout the City to allow for full participation with community life.

(B) to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;	
(i) In drafting the implementation plan portion of the moderate income housing element as described in Subsection (2)(a)(iii)(C), the planning commission shall establish a timeline for implementing each of the moderate income housing strategies selected by the municipality for implementation.	The City has included timelines and due dates for certain policies to be implemented. These timelines were based on setting priorities and realistic goals.
(A) identify specific measures and benchmarks for implementing each moderate income housing strategy selected by the municipality, whether one-time or ongoing; and (B) provide flexibility for the municipality to make adjustments as needed.	The implementation plan has goals and outcomes that it hopes to achieve. The City will have flexibility on how to implement some of Plan and will review current circumstances on how it address each Plan.

ZONE CHANGE APPLICATION

City of Hurricane
147 North 870 West
Hurricane, UT 84737
(435) 635-2811
FAX (435) 635-2184

Fee: \$500.00

For Office Use Only:
File No. 2022-ZC-32
Receipt No. 8.160529

Name: Thomas Hunt Telephone: 801-664-4724

Address: 1178 W. Legacy Crossing Blvd. Centerville, UT 84014 Fax No. _____

Agent (If Applicable): _____ Telephone: _____

Email: thomas@wrightdevelopment.com Agent Email: _____

Address/Location of Subject Property: Future 3700 West & Future Stargate Ave.

Tax ID of Subject Property: TBD Existing Zone District: RM-3 & R1-6 & R1-15

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

To take the entire property to RM-3. The master plan that was created had the wrong zoning boundary designation. This application is is correct those issues.

Submittal Requirements: The zone change application shall provide the following:

- _____ a. The name and address of every person or company the applicant represents;
- _____ b. An accurate property map showing the existing and proposed zoning classifications;
- _____ c. All abutting properties showing present zoning classifications;
- _____ d. An accurate legal description of the property to be rezoned;
- _____ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- _____ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

AFFIDAVIT
PROPERTY OWNER

STATE OF ~~UTAH~~ AZ)
COUNTY OF MOHAVE :SS

I (we), Tim M. Tippet, Vice President of Western Mortgage & Realty Co., being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

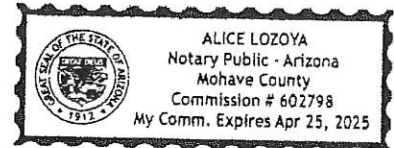
Western Mortgage & Realty Co.
(Property Owner)
Tim M. Tippet, V.P.
(Property Owner)

Subscribed and sworn to me this 14th day of July 2022

Alice Lozoya
(Notary Public)

Residing in: BHC AZ

My Commission Expires: 4-25-2025



Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20____.

(Notary Public)

Residing in: _____

My Commission Expires: _____

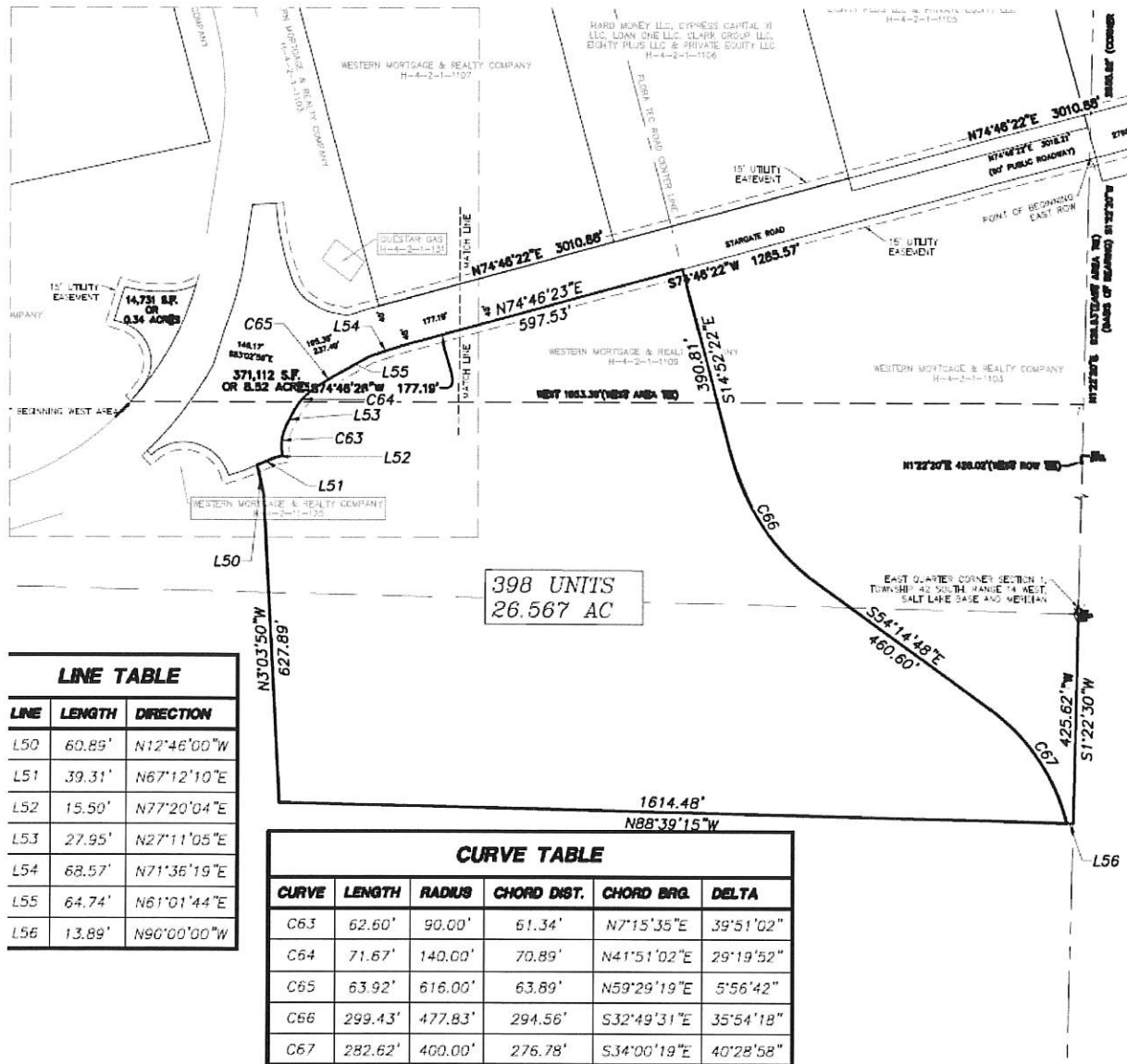
TOM CALLISTER LEGAL DESCRIPTION

COMMENCING AT THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE & MERIDIAN;
THENCE S01°22'30"W, ALONG THE SECTION LINE, 425.62 FEET; THENCE WEST 13.89 FEET TO THE **POINT OF BEGINNING**.

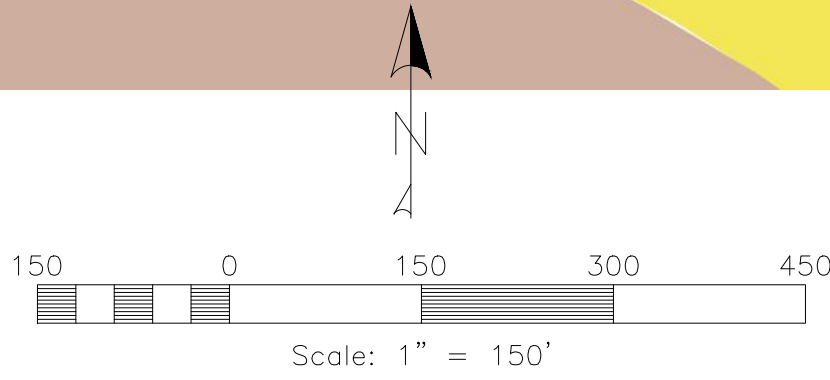
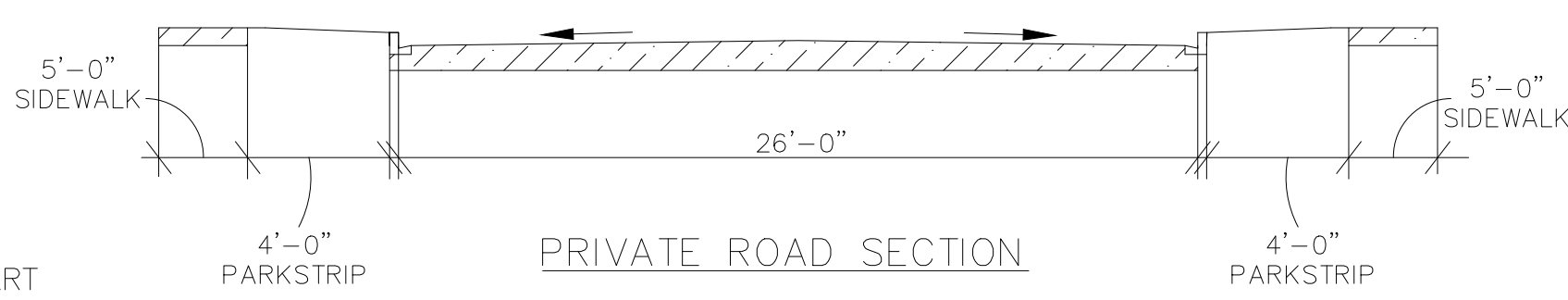
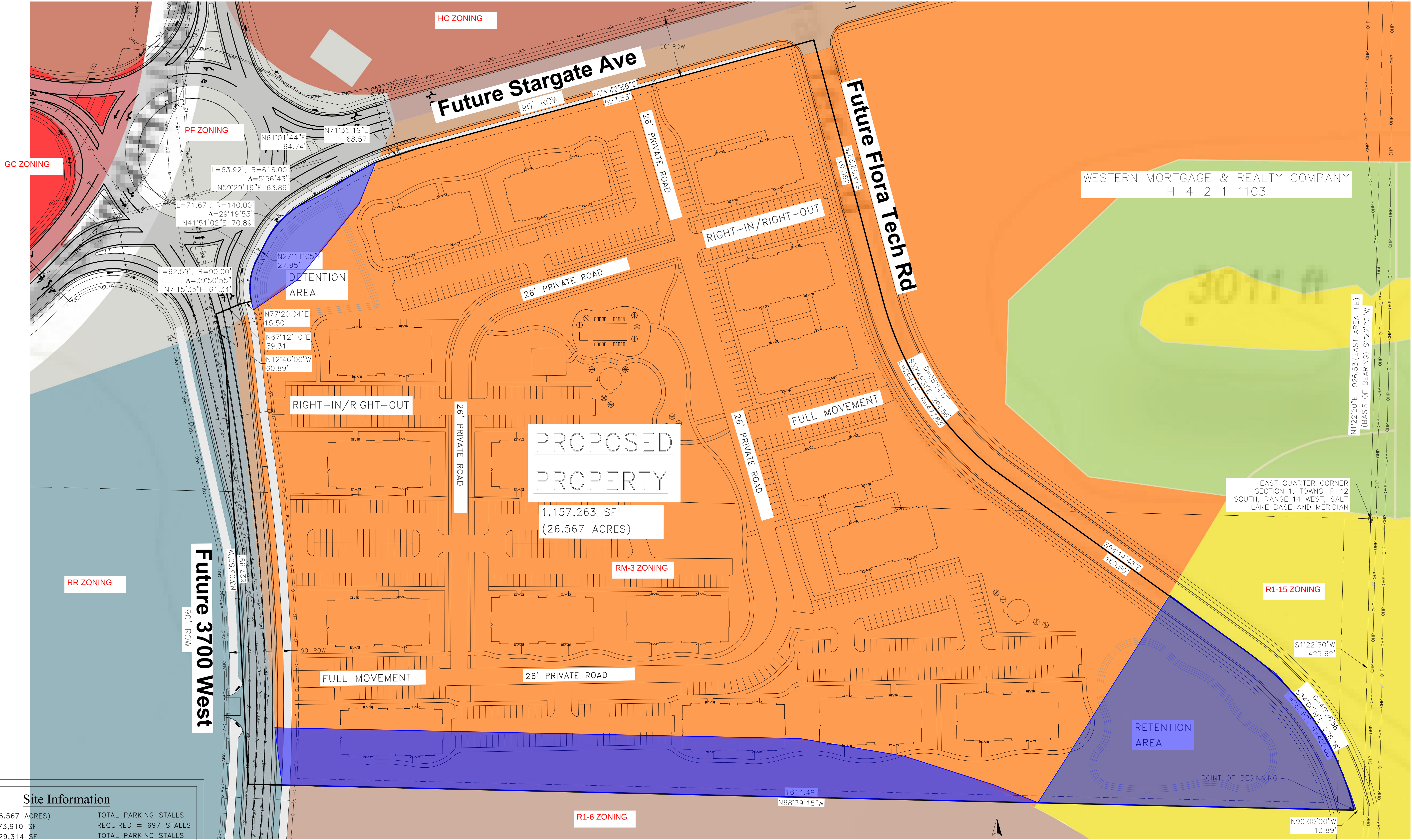
THENCE N88°39'15"W 1614.48 FEET; THENCE N03°03'50"W 627.89 FEET;
THENCE N12°46'00"W 60.89 FEET TO THE SOUTH BOUNDARY LINE OF STARGATE AVENUE;
THENCE ALONG THE SOUTH BOUNDARY LINE THE FOLLOWING NINE (9) COURSES:
THENCE N67°12'10"E 39.31 FEET;
THENCE N77°20'04"E 15.50 FEET;
THENCE NORTHERLY ALONG THE ARC OF A 90.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: N07°15'35"E 61.34 FEET), CENTER POINT LIES N77°20'04"E THROUGH A CENTRAL ANGLE OF 39°51'02" A DISTANCE OF 62.60 FEET;
THENCE N27°11'05"E 27.95 FEET;
THENCE NORTHEASTERLY ALONG THE ARC OF A 140.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: N41°51'02"E 70.89 FEET), CENTER POINT LIES S62°48'55"E THROUGH A CENTRAL ANGLE OF 29°19'52" A DISTANCE OF 71.67 FEET;
THENCE NORTHEASTERLY ALONG THE ARC OF A 616.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (LONG CHORD BEARS: N59°29'19"E 63.89 FEET), CENTER POINT LIES S33°29'02"E THROUGH A CENTRAL ANGLE OF 05°56'42" A DISTANCE OF 63.92 FEET;
THENCE N61°01'44"E 64.74 FEET; THENCE N71°36'19"E 68.57 FEET;
THENCE N74°46'23"E 597.53 FEET; THENCE LEAVING THE SOUTH BOUNDARY LINE OF STARGATE AVENUE AND RUNNING S14°52'22"E 390.81 FEET;
THENCE SOUTHEASTERLY ALONG THE ARC OF A 477.83 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS: S32°49'31"E 294.56 FEET), CENTER POINT LIES N75°07'38"E THROUGH A CENTRAL ANGLE OF 35°54'18" A DISTANCE OF 299.43 FEET;
THENCE S54°14'48"E 460.60 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 400.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: S34°00'19"E 276.78 FEET), CENTER POINT LIES S35°45'12"W THROUGH A CENTRAL ANGLE OF 40°28'58" A DISTANCE OF 282.62 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 1157263 SQUARE FEET OR 26.567 ACRES.

TOM CALLISTER LEGAL DESCRIPTION



Elim Valley
Preliminary Plat



Developer Contact:
Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

Site Information			
1,157,263 SF (26.567 ACRES)		TOTAL PARKING STALLS	REQUIRED = 697 STALLS
BUILDINGS 173,910 SF		TOTAL PARKING STALLS	PROVIDED = 714 STALLS
HARDSCAPE 329,314 SF			
LANDSCAPE 654,039 SF (56.5%)			
17 BUILDINGS 398 UNITS		(2) PICKLE BALL COURTS	
UNIT DENSITY 15 UNITS/ACRE		(2) TOT LOTS	
1 BEDROOM 199 UNITS		POOL	
(1.5 STALLS REQUIRED) = 299 STALLS		HOT TUB	
2 BEDROOM 100 UNITS		CLUB/GYM	
(2 STALLS REQUIRED) = 200 STALLS		BARBEQUE AREA	
3 BEDROOM 99 UNITS			
(2 STALLS REQUIRED) = 198 STALLS			

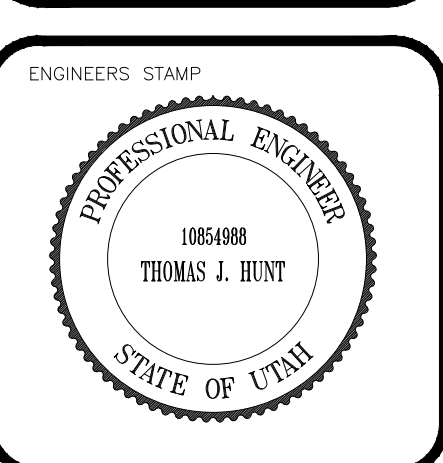
- NOTES:
1. SITE IMPROVEMENTS TO BE COMPLETED IN ONE PHASE.
 2. PLANNED ROADWAYS AND UTILITIES ARE PART OF THE HURRICANE CITY PID PLAN.
 3. AREA IS NOT LOCATED IN DESERT TORTOISE TAKE AREA.



Elim Valley
East Quarter Corner of Section 1, Township 42
South, Range 14 West, Salt Lake Base & Meridian
3700 West & Sand Hollow Road
Hurricane, Washington County, UT

**Preliminary Plat
Proposed Site**

Revisions	Date



PROJECT INFO.
Engineer: T. HUNT
Drafter: T. HUNT
Start Date: 12/02/2021
Name: Elim Valley

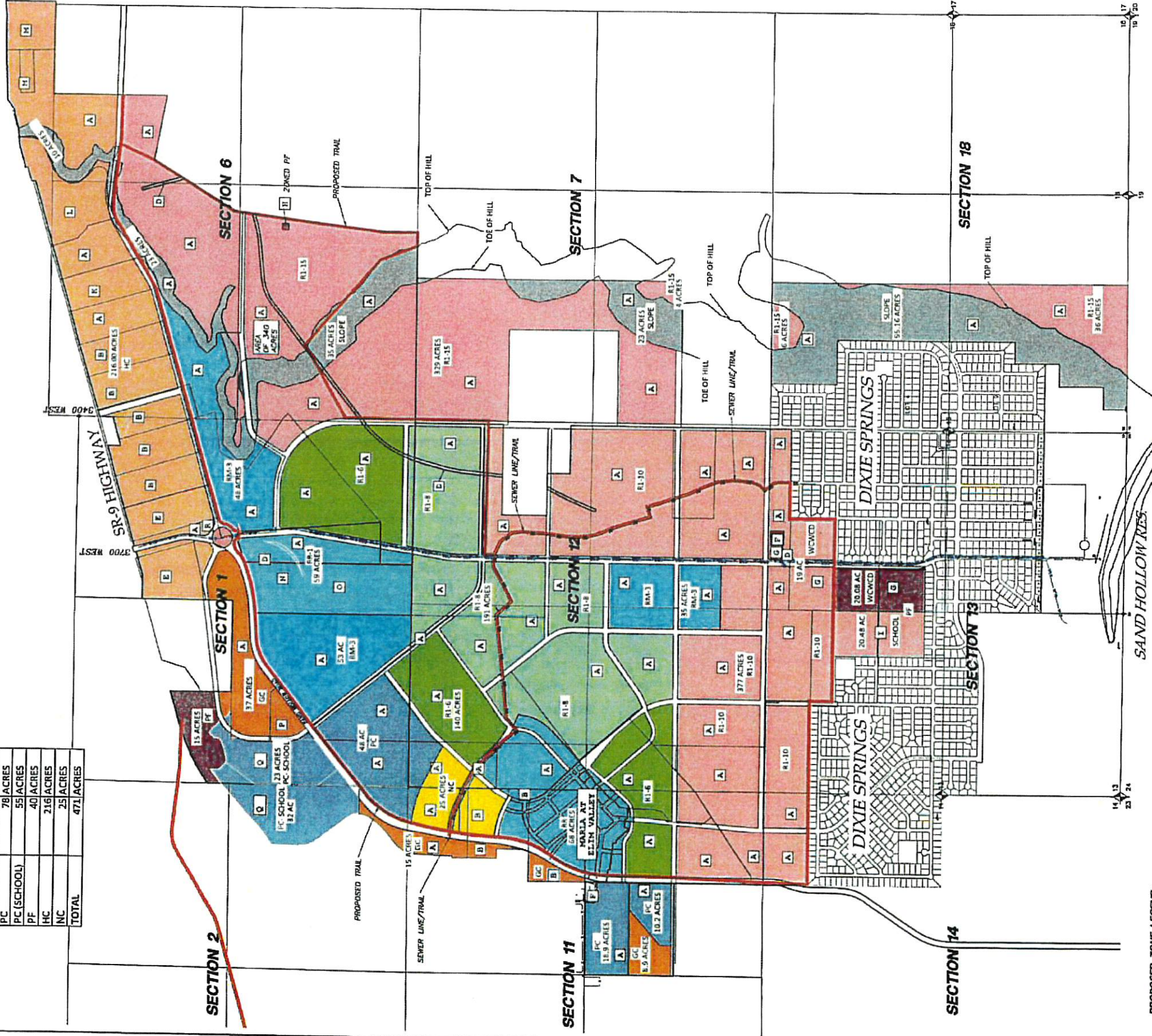
SHEET	3
2	SHEETS

ZONE CHANGE MAP FOR:
ELIM VALLEY

LOCATED ON SAND HOLLOW RD, HURRICANE
WASHINGTON COUNTY, UTAH

DENSITY CALCULATION:

ZONE	ACRES	UNITS
RR-1	59	885
RR-MARLA	68	387
RM-3	139	2085
R1-6	140	813
R1-8	191	832
R1-10	363	1265
R1-15	375	870
TOTAL	1335	7137
GC	57	ACRES
PC	78	ACRES
PC (SCHOOL)	55	ACRES
PF	40	ACRES
HC	216	ACRES
NC	25	ACRES
TOTAL	471	ACRES



PROPOSED ZONE LEGEND:

RR	RECREATIONAL RESORT ZONE
OS	OPEN SPACE
R1-15	RESIDENTIAL - 1 UNIT PER 15,000 SQ. FT.
R1-10	RESIDENTIAL - 1 UNIT PER 10,000 SQ. FT.
R1-8	RESIDENTIAL - 1 UNIT PER 8,000 SQ. FT.
R1-6	RESIDENTIAL - 1 UNIT PER 6,000 SQ. FT.
RM-3	MULTI-FAMILY - 15 UNITS PER ACRE
GC	GENERAL COMMERCIAL
NC	NEIGHBORHOOD COMMERCIAL
HC	HIGHWAY COMMERCIAL
PC	PLANNED COMMERCIAL
M-1	LIGHT INDUSTRIAL
PF	PUBLIC FACILITY (SCHOOL) W/ R1-10 ZONING
WCWD/DIXIE REA/HURRICANE CITY (PUBLIC FACILITIES)	
PROPOSED TRAIL	

OWNERS LEGEND:

WESTERN MORTGAGE & REALTY CO. PARCELS:
H-4-2-1-1103
H-4-2-1-1104
H-4-2-1-1105
H-4-2-1-1106
H-4-2-1-1107
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H-4



STAFF COMMENTS

Agenda Date:	08/18/2022
Application Number:	2022-ZC-32
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	Western Mortgage and Realty
Agent:	Thomas Hunt
Request:	A Zone Change Request from RM-3, R1-6, and R1-15 to RM-3
Location:	Approximately 3700 W and Stargate Ave
Zoning:	RM-3, R1-6, R1-15
General Plan Map:	Planned Community

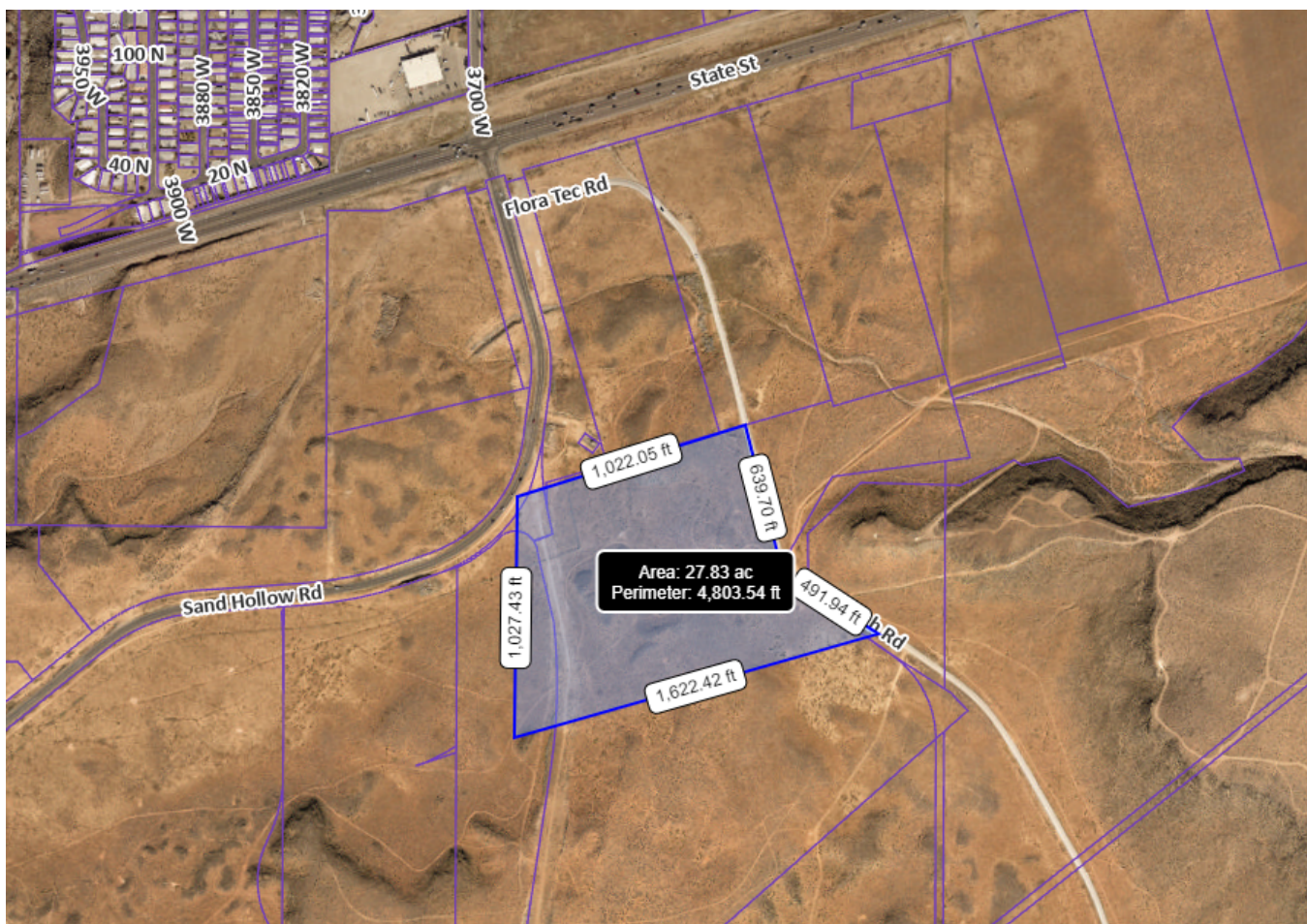
Planning Commission Recommendation

The Planning Commission gave a positive recommendation on the proposed zone change.

Discussion:

The applicant is seeking a zone change to clean up the zone boundaries within the Sand Hollow Gateway PID. There are a few discrepancies within this property between the zone boundaries passed by the City Council in December 2019 and the approved PID roadways through the area; the approved zone map for the area is attached to this report. This change will bring the zone map and the PID plans into alignment with each other.

	Zoning	Adjacent Land Use
North	HC	Undeveloped, later phase of Sand Hollow Gateway PID
East	RM-3, OS, R1-15	Undeveloped and cliff space, later phase of Sand Hollow Gateway PID
South	R1-6	Undeveloped, approved Desert Bloom subdivision
West	GC, RR	Undeveloped, Sand Hollow Gateway resort and Sand Hollow Gateway commercial area



Approximate Location and Size

1. Is the proposed amendment consistent with the City's General Plan's goals, objectives, and policies?

Response: The [General Plan Map](#) shows this area as a Planned Community:

Master planned communities should be complete communities that offer a mixture of housing types and supporting uses such as neighborhood and supporting commercial uses, offices, churches, schools, and parks. Development in this designation should take into account the character of existing surrounding development.

This area is already part of a larger master planned project with services being provided through a PID. This is a minor change that does not significantly differ from the City Council's intentions when approving the original zone change in 2019. Considering the changes will line up the zone boundaries with the boundaries of the approved neighboring developments which seems to be in line with those intentions.

The General Plan calls for "*Medium and high density residential developments should be planned near support facilities such as collector and arterial roads, schools, shopping, and employment centers. Medium and high density residential developments should be planned and designed to minimize impacts to nearby existing developments, while providing high-quality, attractive housing options*" It also calls for "*Support creating commercial spaces in population Centers in the City to provide services to those areas*"

Putting higher density near significant traffic corridors is to help minimize traffic impacts on local roadways and allow more efficient travel from these developments. Placing higher density near commercial spaces also helps stimulate commercial growth in an area and provides housing, and serves in the same area.

2. Is the proposed amendment harmonious with the overall character of existing development in the subject property's vicinity?

Response: Most of the area is undeveloped. This area of the Sand Hollow Gateway PID has high density resort zoning and commercial properties that form an ideal place for high density residential.

3. Will the proposed amendment affect the adjacent property?

Response: The total area being changed in this zone change is about 3-5 acres. The approximately 75 added units will increase the impact on the area, however staff does believe that with how the roadways have already been approved and how this property is a good location for multifamily staff has no concerns with impact

4. Are public facilities and services adequate to serve the subject property?

Response: There are currently no services in the area but the Sand Hollow Gateway PID is planning to provide services to the area. Construction drawings have been submitted to the City and construction has begun on some of the Sand Hollow Gateway roadways.

JUC Comments

1. **Power:** No concerns with zone change

2. **Water:** No concerns
3. **Streets:** No concerns
4. **Sewer:** No concerns as long as they follow the PID
5. **Engineering:** Still outstanding concerns with layout but fine with zone change
6. **Fire:** No concerns just far from a fire station currently
7. **Gas/Cable/Water Conservancy:** No concerns

Other Considerations:

1. This zone change will add about 5 acres to RM-3, at 15 units an acre this adds about 75 units to the project. The total RM-3 area is 26.567 acres and is proposed for 398 units which is 14.98 units per acre
2. The preliminary plat for this development has not been approved yet. Staff would recommend, if the zone change is approved, that a new preliminary site plan and plat be submitted. The comments and concerns from those reports do still apply and will need to be addressed at that time.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the current General Plan's map and goals.
2. The proposed amendment is generally in harmony with the overall character of the approved development surrounding it, but there is almost no development adjacent to the property right now.
3. The proposed amendment will have an impact on the area but it is as anticipated in the Sand Hollow Gateway area
4. The services are currently not adequate for the development but are planned to be with the Sand Hollow Gateway PID.
5. Generally speaking, staff would recommend that zoning boundaries follow landmarks, roadways, or property lines in order to provide clarity in zoning map interpretation. See [Hurricane City Code 10-11-4. - Rules for locating zone boundaries.](#)

Recommendation: Staff recommends that the City Council review this application and the zone change based on standards and considers residents' comments. Staff would recommend approval of this zone change based on staff and JUC comments.

PID IMPROVEMENT MAP FOR:
SAND HOLLOW GATEWAY

LOCATED ON SAND HOLLOW RD, HURRICANE
WASHINGTON COUNTY, UTAH

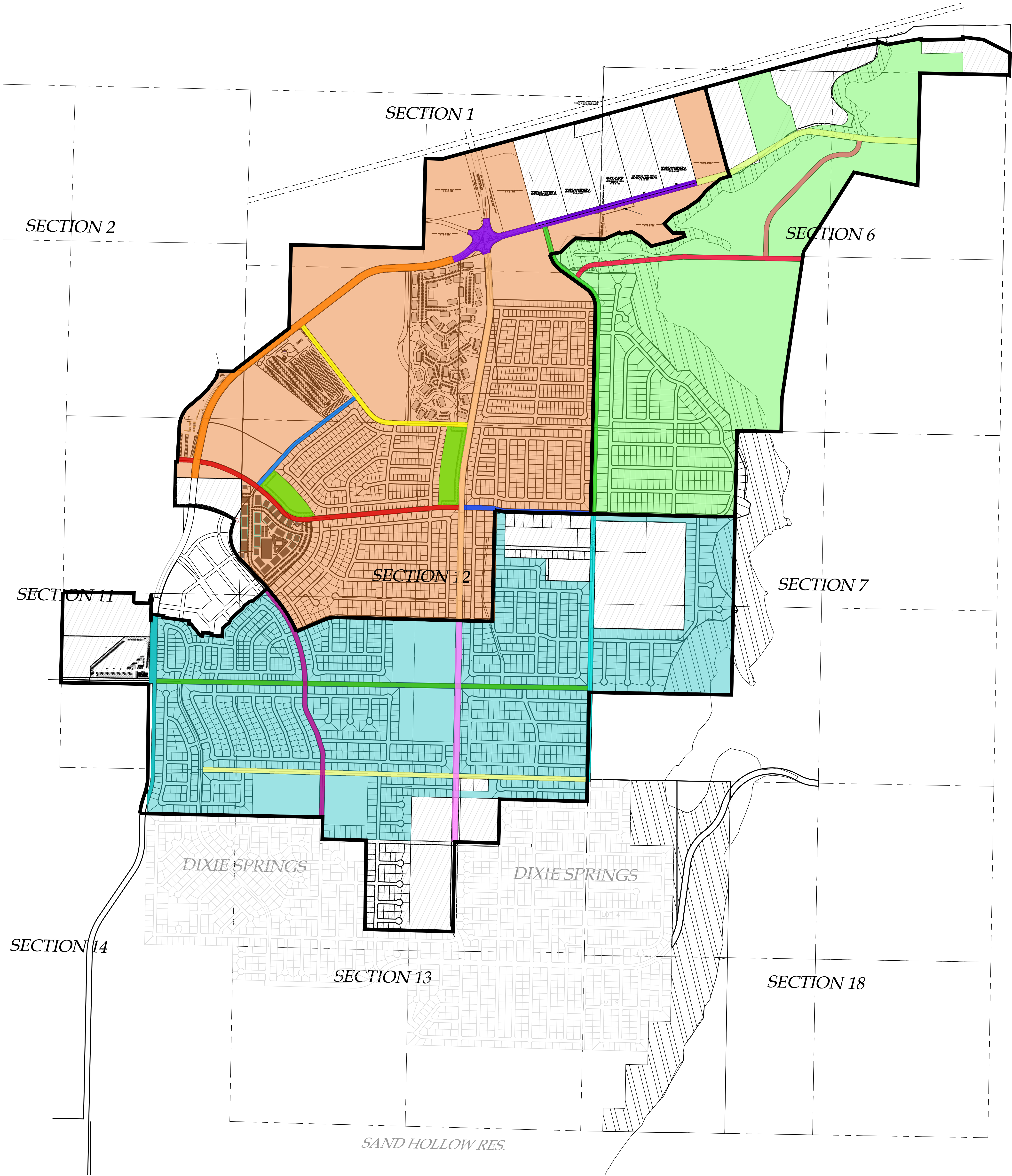
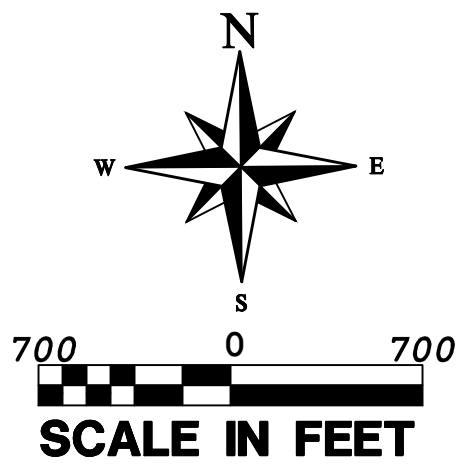


TABLE OF IMPROVEMENTS

MAP LOCATION	ITEM	P.I.D. PHASE 1 ESTIMATE					MAP LOCATION	ITEM	P.I.D. PHASE 2 ESTIMATE					MAP LOCATION	ITEM	P.I.D. PHASE 3 ESTIMATE							
A	ROAD A (70') South Leg	4552	LF	\$	795.00	\$	3,618,840.00	H	ROAD H (90') Star Ave Cont.	3532	LF	\$	875.00	\$	3,090,500.00	M	ROAD M (106') S. H. RD Cont.	1002	LF	\$	998.00	\$	999,996.00
B	ROAD B (70') North Leg	3272	LF	\$	795.00	\$	2,601,240.00	I	ROAD I (70') NE Connector	2450	LF	\$	795.00	\$	1,947,750.00	N	ROAD N (53') HALF S. H. RD	1800	LF	\$	744.00	\$	1,339,200.00
C	ROAD C (90') 3700 West	3859	LF	\$	875.00	\$	3,376,625.00	J	ROAD J (70') 1100 South	3465	LF	\$	794.00	\$	2,751,210.00	O	ROAD O (70') TURF SOD ROAD	6522	LF	\$	795.00	\$	5,184,990.00
D	ROAD D (106') S.H. RD	5712	LF	\$	998.00	\$	5,700,576.00	K	ROAD K (70') Flora Tech 3400 W	4995	LF	\$	795.00	\$	3,971,025.00	P	ROAD P (70') IRON BRIDGE BLVD	3828	LF	\$	795.00	\$	3,043,260.00
E	ROAD E (60') BEHIND RV's	2032	LF	\$	765.00	\$	1,554,480.00	L	ROAD L (70') South Leg Cont.	1992	LF	\$	795.00	\$	1,583,640.00	Q	ROAD Q (90') 3700 WEST	3317	LF	\$	875.00	\$	2,902,375.00
F	PARKS	14	ACRES	\$	250,000.00	\$	3,500,000.00							R	ROAD R (70') 2300 SOUTH	5289	LF	\$	795.00	\$	4,204,755.00		
G	STARGATE AVE - ROUND	1	LS	\$	3,400,000.00	\$	3,400,000.00							S	ROAD S (70') Flora Tech 3400 WEST	4040	LF	\$	795.00	\$	3,211,800.00		
	LESS CYPRUSS HALF	2500	LF	\$	(437.50)	\$	(1,093,750.00)													\$		\$	20,886,376.00
							\$ 22,658,011.00																

MASTER PLAN MAP

1 OF 1

SHEET NO.

JOB NO. 281-2006

DATE: 2/18/2011

SCALE: 1"=120'

PID PHASE 1 IMPROVEMENT MAP FOR:
SAND HOLLOW GATEWAY

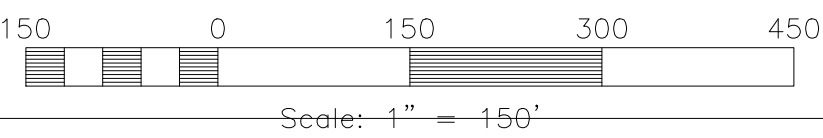
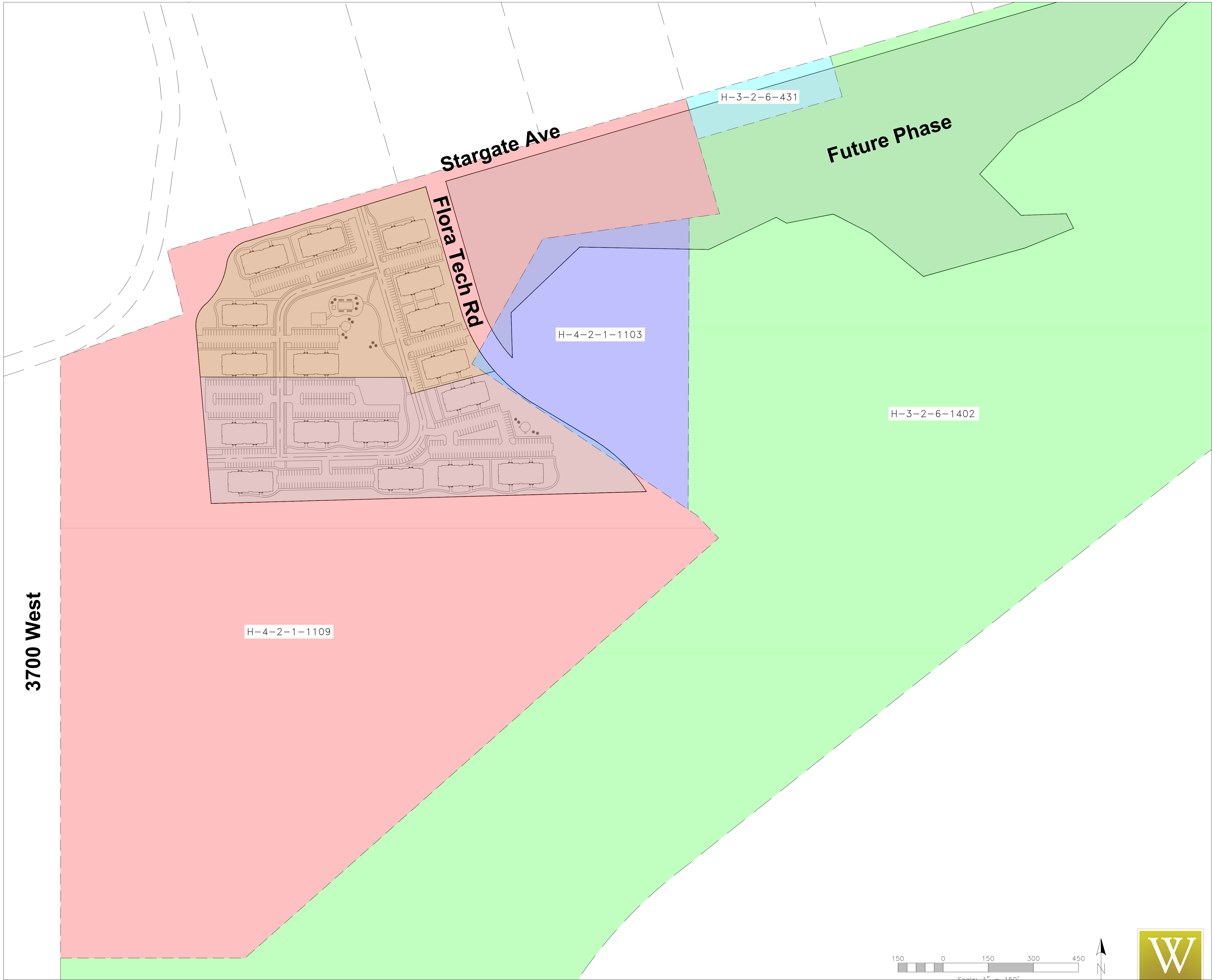
SAND HOLLOW RD
HURRICANE, WASHINGTON COUNTY, UTAH

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners

20 South 850 West, Suite 1
Hurricane City, Utah 84757
Phone: (435) 668-8307

REVISIONS

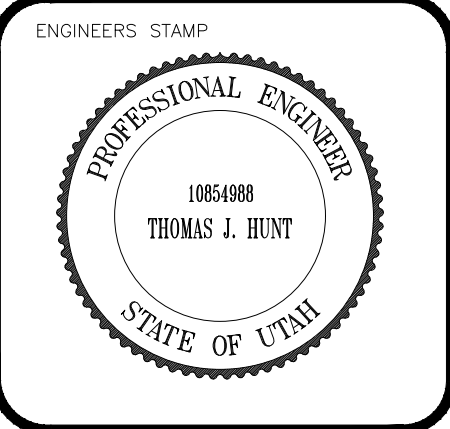
NO	DESCRIPTION	DATE	BY



Developer Contact:

Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

Revisions	Date



PROJECT INFO.

Engineer: T. HUNT

Drafter: T. HUNT

Start Date: 1/08/2021

Name: Elim Valley

SHEET	
2	2
	SHEETS

H HUNT
ENGINEERING, LLC
HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Elim Valley
3700 west & Sand Hollow Road
Hurricane, UT

ORDINANCE NO 2022-46

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE
FOR PARCELS H-4-2-1-1109 AND H-4-2-1-1103 FOR SECTION OF R1-15 AND R1-6 TO
RM-3

WHEREAS, Utah Code 10-9a allows Cities to regulate land use within their boundaries,

WHEREAS, the proposed amendment is generally compatible with the current General Plan's
map for future use; and

WHEREAS, the proposed amendment is generally in harmony with the overall character of the
proposed surrounding development; and

WHEREAS, with the approval of the Sand Hollow Gateway PID, the roadway alignment have
slightly changed and the City generally prefers zoning boundaries to follow roadways,
landmarks, or parcel boundaries; and

WHEREAS, the Planning Commission gave a positive recommendation for the zone change
subject that zone change

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:

1. That portions of PARCEL H-4-2-1-1109 and H-4-2-1-1103 be rezoned as shown
in the following legal description attached in Exhibit A to RM-3.

PASSED AND APPROVED on this 18th day of August 2022.

Hurricane City

Mayor

Attest:

Cindy Beteag, City Recorder

Sec. 9-1-3. Issuance of building permits.

- A. The City acknowledges the existence of areas within the City that are characterized by the presence of subsurface water, groundwater, unstable soils and other geological hazards which carry an increased risk of damage to, diminution in value of, and the likelihood of additional costs and expenses for maintenance, repair and replacement of homes, structures or other improvements constructed or maintained in these areas.
- B. As a general policy, therefore, the City discourages residential and commercial development in these areas; however, the City also recognizes the right of private property owners to utilize their property at their own risk for any purpose not prohibited by law. The City recognizes that these geological hazards are often not readily apparent and sometimes are not identified until after construction of improvements are underway or complete.
- C. In order to minimize or avoid these increased risks and/or additional costs, ~~the City strongly encourages all each~~ property owners, as a condition of obtaining a building permit, shall who seek or obtain a building permit for property in these areas to: 1) obtain a geotechnical report from a qualified engineer; and 2) agree to strictly follow all recommendations contained therein.
- D. The issuance of a building permit by the City is not, and should not in any way be interpreted or construed as, a guarantee: 1) as to the reliability or soundness of any geotechnical report obtained by the owner; or 2) that any home, structure or other improvement constructed on the property in accordance with any such geotechnical report will be free from damages, diminution in value, and/or increased costs and expenses for maintenance, repair and replacement because of subsurface water, groundwater, unstable soils or other geological hazards.
- ~~E. The owner of any home, structure or other improvement constructed or maintained on property in any area characterized by the presence of subsurface water, groundwater, unstable soil or any other geological hazard, shall be responsible and liable for mitigation of any damage to, diminution in value of, and payment of any costs and expenses for maintenance, repair or replacement of such home, structure or other improvement.~~
- ~~FE.~~ The City shall not be responsible or liable for mitigation of any damage to, diminution in value of, and payment of any costs and expenses for maintenance, repair or replacement of any home, structure or other improvement constructed or maintained on property ~~in any area characterized by resulting from~~ the presence of subsurface water, groundwater, unstable soil, or any other geological hazard.
- ~~GF.~~ In consideration of the issuance by the City of a building permit ~~for property in any area characterized by the presence of subsurface water, groundwater, unstable soils or other geological hazards,~~ the owner shall be required to sign an acknowledgment, waiver, and release in substantially ~~the form attached as exhibit A to the ordinance codified herein and incorporated herein by this reference.~~ the following form:

When Recorded Return to:
Hurricane City
147 N. 870 West
Hurricane, UT 84737

Parcel ID#: H-_____

Legal Description:_____

Acknowledgement, Waiver, and Release

In consideration of the agreement by Hurricane City to issue the undersigned property owner a building permit for the construction of a home, structure or other improvement upon the real property described below, the undersigned acknowledges, covenants and agrees as follows:

1. I am aware that subsurface water, high groundwater, unstable soil conditions, or other geological hazards have been found to exist in areas of Hurricane City, which may include the property described below.
2. I acknowledge that I have obtained ~~or have been advised by Hurricane City to obtain~~ from a competent engineer a geotechnical report which analyzes subsurface water, groundwater, and soil conditions on my property described below.
3. I acknowledge that it is my responsibility to cause the construction of my structure to be completed in strict compliance with the recommendations of any such geotechnical report, I agree to strictly comply with the recommendations of such geotechnical report, and I understand and agree that the inspections performed by Hurricane City will not include inspection for compliance with ~~said such~~ geotechnical report.
- ~~4. I understand and assume all risk and responsibility for any damages to, diminution in value of, or payment of all costs and expenses for maintenance, repair or replacement of any home, structure or other improvement constructed on the property.~~
- 5.4. In view of the foregoing, I agree on behalf of myself, my heirs, successors, and assigns to waive any and all claims as against Hurricane City, and, further, do hereby release Hurricane City from any and all liability for damages to, diminution in value of, and payment of all costs and expenses for maintenance, repair or replacement of any home, structure or improvement which is in any way attributable ~~or related~~ to subsurface water, groundwater, unstable soil conditions and/or any other geological hazards upon or under the property described below, or by reason of my own or my agent's or contractor's violation of any applicable laws, ordinances, or City standards.

The covenants and agreements herein made shall run with the land and shall be binding upon the heirs, successors, and assigns of the undersigned.

THE REAL PROPERTY AFFECTED BY THIS AGREEMENT IS DESCRIBED AS:

Address:_____

Subdivision:_____Phase:_____Lot:_____

DATE:_____

Property Owner Signature

Property Owner Name (printed)

Property Owner Signature

Property Owner Name (printed)

(Owner Notary)

STATE OF UTAH)

: ss.

COUNTY OF WASHINGTON)

On the ____ day of _____, 20____, personally appeared before me _____, the signer(s) of the foregoing instrument, who did say that he/she/they is/are the owner(s) of the above-described property and that he/she/they has/have signed the foregoing instrument for the reasons stated therein.

Notary Public

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH
AMENDING SECTION 9-1-3 TO THE HURRICANE CITY CODE GOVERNING
ISSUANCE OF BUILDING PERMITS.**

WHEREAS the City Council of Hurricane, Utah desires to amend Section 9-1-3 of the Hurricane City Code governing issuance of building permits;

WHEREAS Hurricane City is characterized by the presence of subsurface water, groundwater, unstable soils and other geological hazards that often are not readily apparent and sometimes are not identified until after construction of improvements are underway or complete;

WHEREAS the City Council of Hurricane, Utah finds it is necessary to require a signed acknowledgement, waiver, and release for geologic hazards for the issuance of any building permit within the City limits;

WHEREAS the City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY ORDAINED that Section 9-1-3 of the Hurricane Code is amended, as follows:

Sec. 9-1-3. Issuance of building permits.

- A. The City acknowledges the existence of areas within the City that are characterized by the presence of subsurface water, groundwater, unstable soils and other geological hazards which carry an increased risk of damage to, diminution in value of, and the likelihood of additional costs and expenses for maintenance, repair and replacement of homes, structures or other improvements constructed or maintained in these areas.
- B. As a general policy, therefore, the City discourages residential and commercial development in these areas; however, the City also recognizes the right of private property owners to utilize their property at their own risk for any purpose not prohibited by law. The City recognizes that these geological hazards are often not readily apparent and sometimes are not identified until after construction of improvements are underway or complete.
- C. In order to minimize or avoid these increased risks and/or additional costs, each property owner, as a condition of obtaining a building permit, shall: 1) obtain a geotechnical report from a qualified engineer; and 2) agree to strictly follow all recommendations contained therein.
- D. The issuance of a building permit by the City is not, and should not in any way be interpreted or construed as, a guarantee: 1) as to the reliability or soundness of any geotechnical report obtained by the owner; or 2) that any home, structure or other improvement constructed on the property in accordance with any such geotechnical report will be free from damages, diminution in value, and/or increased costs and expenses for maintenance, repair and replacement because of subsurface water, groundwater, unstable soils or other geological hazards.

- E. The City shall not be responsible or liable for mitigation of any damage to, diminution in value of, and payment of any costs and expenses for maintenance, repair or replacement of any home, structure or other improvement constructed or maintained on property resulting from the presence of subsurface water, groundwater, unstable soil, or any other geological hazard.
- F. In consideration of the issuance by the City of a building permit, the owner shall be required to sign an acknowledgment, waiver, and release in substantially the following form:

When Recorded Return to:

Hurricane City
147 N. 870 West
Hurricane, UT 84737

Parcel ID#: H-_____

Legal Description: _____

Acknowledgement, Waiver, and Release

In consideration of the agreement by Hurricane City to issue the undersigned property owner a building permit for the construction of a home, structure or other improvement upon the real property described below, the undersigned acknowledges, covenants and agrees as follows:

1. I am aware that subsurface water, high groundwater, unstable soil conditions, or other geological hazards have been found to exist in areas of Hurricane City, which may include the property described below.
2. I acknowledge that I have obtained from a competent engineer a geotechnical report which analyzes subsurface water, groundwater, and soil conditions on my property described below.
3. I acknowledge that it is my responsibility to cause the construction of my structure to be completed in strict compliance with the recommendations of any such geotechnical report, I agree to strictly comply with the recommendations of such geotechnical report, and I understand and agree that the inspections performed by Hurricane City will not include inspection for compliance with such geotechnical report.
4. In view of the foregoing, I agree on behalf of myself, my heirs, successors, and assigns to waive any and all claims as against Hurricane City, and, further, do hereby release Hurricane City from any and all liability for damages to, diminution in value of, and payment of all costs and expenses for maintenance, repair or replacement of any home, structure or improvement which is in any way attributable or related to subsurface water, groundwater, unstable soil conditions and/or any other geological hazards upon or under the property described below, or by reason of my own or my agent's or contractor's violation of any applicable laws, ordinances, or City standards.

The covenants and agreements herein made shall run with the land and shall be binding upon the heirs, successors, and assigns of the undersigned.

THE REAL PROPERTY AFFECTED BY THIS AGREEMENT IS DESCRIBED AS:

Address: _____

Subdivision: _____ Phase: _____ Lot: _____

DATE: _____

Property Owner Signature

Property Owner Name (printed)

Property Owner Signature

Property Owner Name (printed)

(Owner Notary)

STATE OF UTAH)
: ss.

COUNTY OF WASHINGTON)

On the ____ day of _____, 20____, personally appeared before me _____
_____, the signer(s) of the
foregoing instrument, who did say that he/she/they is/are the owner(s) of the above-described
property and that he/she/they has/have signed the foregoing instrument for the reasons
stated therein.

Notary Public

BE IT FURTHER ORDAINED that this Ordinance shall, after adoption and approval, take
effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 18th day of August 2022.

Hurricane City

Nanette Billings, Mayor

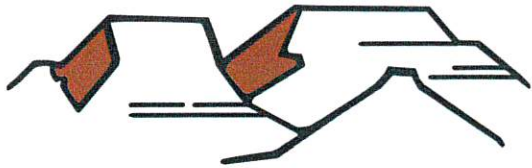
Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 18th day of August 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
David Sanders	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Doug Heideman	_____	_____	_____	_____

Cindy Beteag, Recorder



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

PRELIMINARY PLAT APPLICATION

For office use only: \$150.00 Fee
File No. 2022-PP-18
Receipt No. _____

Name: Bob Hermandson Telephone: 435-673-2337

Address: 205 E Tabernacle, Ste. 4, St. George, UT 84770 Fax No. 435-673-3161

Email: bobh@bushandgudgell.com Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

Address/Location of Subject Property: Approximately 1200 S Sand Hollow Rd.

H-4-2-11-113 thru H-4-2-11-115 and parts of H-4-2-11-112,

Tax ID of Subject Property: H-4-2-11-111, and H-4-2-11-121 Zone District: RM-2

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____

A Townhome development consisting of approximately 68 Units

Submittal Requirements: The preliminary plat application shall provide the following:

- ☒ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- ☒ a. The proposed name of the subdivision.
 - ☒ b. The location of the subdivision, including the address and section, township and range.
 - ☒ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ☒ d. Date of preparation, and north point.
 - ☒ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- ☒ 2. Existing Conditions: The preliminary plat shall show:
- ☒ a. The location of the nearest monument.
 - ☒ b. The boundary of the proposed subdivision and the acreage included.
 - ☒ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ☒ d. The location, width, and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ☒ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - ☒ f. Existing sewers, water mains, culverts, or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
 - ☒ g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.

- ☒ h. Contours at vertical intervals not greater than five (5) feet.
- ☒ i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock, and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
- ☒ j. Information on whether property is located in desert tortoise take area
- ☒ 3. Proposed Plan: The subdivision plans shall show:
- ☒ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys, and easements.
- ☒ b. The layout, numbers, and typical dimensions of lots.
- ☒ c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
- ☒ d. Easements for water, sewers, drainage, utilities, lines and other purposes.
- ☒ e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
- ☒ f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
- ☒ g. Approximate radius of all center line curves on highways or streets.
- ☒ h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
- ☒ i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
- ☒ j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
- ☒ k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
- ☒ l. Will this subdivision be phased? If yes show possible phasing lines.
- ☒ m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.
- ☒ 4. Required copies of plans:
- ☒ a. Three copies of all full-scale drawings
- ☒ b. One copy of each drawing on a 11 x 17-inch sheets. (8 ½ x 11 is acceptable if the project is small and the plans are readable at that size).
- ☒ 5. Warranty deed or preliminary title report or another document (see attached Affidavit) showing evidence that the applicant has control of the property
- ☒ 6. Signed and notarized Acknowledgement Water Supply (see attached)

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 (noon) 20 full calendar days before the Planning Commission meeting at which you plan for your application to be heard.

(Office Use Only)

Date Received: _____ Application Complete: YES _____ NO _____

Date application deemed to be complete: _____ Completion determination made by: _____

STATE OF UTAH)
)
) ss
COUNTY OF)

Gary Cobb
(Property Owner)

Subscribed and sworn to me this 8 day of March 2021.

Residing in: washington county

 **HOLLYANN GUBLER**
Notary Public
State Of Utah
My Commission Expires 04-04-2024
COMMISSION NO. 711050

I (we), Gary Cobb, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) RUSH & GUDGELL, INC. to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 8 day of March 20 21.

Residing in: Washington County

My Commission Expires: 04/04/2024

 HOLLYANN GUBLER
Notary Public
State Of Utah
My Commission Expires 04-04-2024
COMMISSION NO. 711050

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, Bob Hermandson am/are the applicant(s) of the application known as Sand Hollow Townhomes located on parcel(s) H-4-2-11-113 thru H-4-2-11-115 and parts of H-4-2-11-112 within the City of Hurricane, Washington County, Utah. H-4-2-11-111, and H-4-2-11-121

By my/our signature(s) below I/we do hereby acknowledge and agree to the following:

1. Neither acceptance nor approval of a development application by Hurricane City shall constitute a guarantee that sufficient water will be available to serve the zone designation, project, or permit for which this application is being submitted; and
2. Prior to receiving final approval for the application, the applicant may be required by Hurricane City to provide a guarantee of water availability which verifies that there is a sufficient water supply; and
3. For any application which may be approved without a guarantee of water availability, the applicant knowingly assumes the entire risk of water availability for the project and/or application; and
4. I/we waive any and all claims against Hurricane City that are in any way related to water availability for any project, permit, or use for which the land use application has been approved.

Dated this 20th day of July, 2022

Applicant Name: Bob Hermandson

Name of Signer (if different from Applicant Name): Ryan Lay

Title of Signer: Project Manager

Signature: [Signature]

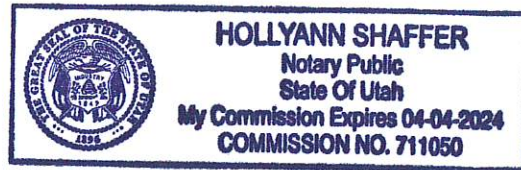
STATE OF Utah)

COUNTY OF Washington)

On the 20 day of July, 2022, personally appeared before me Ryan Lay, the signer of the above instrument, who duly acknowledged to me that he/she executed the same in the capacity indicated on behalf of the Applicant.

Notary Public: Hollyann Shaffer

My Commission Expires: 04-04-2024



All signatures to this Acknowledgment, other than for Applicants signing in an individual capacity, shall be accompanied by documentation acceptable to the City attesting to the fact that the signer hereof is authorized to execute the Acknowledgment on behalf of the Applicant (e.g. a copy of a corporate resolution, copy of a partnership agreement, etc.). (Ord. No. 2022-37, 6-16-2022)

PRELIMINARY PLAT APPLICATION page 5 (General Information)

PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to ensure that all proposed divisions of land conform to the City General Plan and to adopted development standards of the Land Use Ordinance.

WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discuss the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required \$150 fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. (See submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled City Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear City Council comments, answer questions, and receive City Council decision. City Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to Hurricane City standards. Construction drawings must be approved by both the Hurricane Joint Utilities Committee and the Ash Creek Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the City Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one-year time limit is reached. The Planning Commission will review and make recommendation to the City Council on the final plat

when submitted. The City Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

APPEALS

The Planning Commission makes a recommendation to the City Council, so there is no appeal. The City Council's action on a preliminary plat is final unless appealed to the appropriate court.

This version log is for informational purposes only and is not part of the attached form.

The Company adopted a new template for the attached form effective 08-01-2018.

Updates

- 1 Changed exception #11 content to *"Taxes for the current year 2022, which are liens, but not yet due or payable in the following estimated amount(s): (For the amount due contact the Washington County Treasurer's Office at #435-634-5711) \$157.43 under Tax Serial No. H-4-2-11-111, Account No. 0168669 (Affects portions of proposed roadway); \$303.73 under Tax Serial No. H-4-2-11-121, Account No. 0168750 (Affects all proposed lots); "*
- 2 Changed vesting to *"COLFIT, LLC Series-7, a Utah Series Limited Liability Company, as to a portion of proposed roadway; COLFIT, LLC Series-8, a Utah Series Limited Liability Company, as to all proposed lots; "*
- 3 Changed exception #15 content to *"Subject to a Master Communications Easement for Elim Valley, executed by and between Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTOR and EVD Communications Infrastructure, LLC, a Utah Limited Liability Company, as GRANTEE, recorded February 16, 2007, as Doc. No. 20070008386 , and First Amendment to Master Communications Easement for Elim Valley, and First Amendment to Master Communications Easement for Elim Valley, recorded August 6, 2007, as Doc. No. 20070039830, recorded May 20, 2008, as Doc. No. 20080020598 , Official Washington County Records. (Affects this and other property) The interest of EVD Communications Infrastructure, LLC has since passed to Roland L. Walker Irrevocable Trust u/a/d December 23, 1985 by Grant Deed, recorded May 26, 2011, as Doc. No. 20110016187, Official Washington County Records. The interest of Roland L. Walker Irrevocable Trust u/a/d December 23, 1985 has since passed to 290-470, LLC, an Idaho limited liability company by Grant Deed, recorded June 20, 2017, as Doc No. 20170025395, Official Washington County Records. Option to Purchase Easement, dated May 16, 2011, executed by and between Roland L. Walker Irrevocable Trust u/a/d December 23, 1985, as OPTIONOR and R & S FARMS UTAH LIMITED PARTNERSHIP, a Utah Limited Partnership, as OPTIONEE, recorded May 26, 2011, as Doc. No. 20110016212 , Official Washington County Records. CORRECTED AMENDED MASTER COMMUNICATIONS EASEMENT, recorded September 22, 2021, as Doc No. 20210062272, Official Washington County Records."*
- 4 Changed effective date to *"July 15, 2022 at 7:00AM"*.
- 5 Changed property legal description to *"Beginning at a point that lies North 01°05'29" East along the section line 1372.76 feet and due West 1085.72 feet, from the East Quarter Corner of Section 11, Township 42 South, Range 14 West, Salt lake Base and Meridian, and running thence South 1°04'28" West 289.51 feet; thence South 88°56'00" East 15.00 feet; thence South 01°04'28" West 208.71 feet; thence North 88°56'00" West 257.98 feet; thence North 01°04'28" East 428.03 feet; thence South 88°55'32" East 103.00 feet; thence North 01°04'28" East 90.22 feet; thence South 88°55'32" East a distance of 45.00 feet; thence southeasterly along a 20.00 foot radius non-tangent curve to the Left, (Long Chord bears South 43°55'32" East a distance of 28.28 feet), center point lies South 88°55'32" East through a Central Angle of 90°00'00", a distance of 31.42 feet; thence South 88°55'32" East 74.98 feet to the point of beginning. Proposed "SAND HOLLOW TOWNHOMES PHASE 1" Tax Serial No(s). H-4-2-11-111 and H-4-2-11-121"*.
- 6 Changed property full address to *"(Not Yet Addressed / Unimproved Land), Hurricane, UT 84737 as to Parcel 1 and (Not Yet Addressed / Unimproved Land), UT as to Parcel 2"*.
- 7 Removed exception 19.

Transaction Identification Data for reference only:

Report Number: 224238 - 1st Amended

Searcher: Jarom Taylor

Searcher Utah License Number: 691339

Searcher Contact: (435) 634-7991 | jarom@sutc.com

**SCHEDULE A**

1. Effective Date: July 15, 2022 at 7:00AM
2. Report: Subdivision Report prepared for "SAND HOLLOW TOWNHOMES PHASE 1", a proposed subdivision
3. Title to the FEE SIMPLE estate or interest in the land is at the Effective Date vested in:
COLFIT, LLC Series-7, a Utah Series Limited Liability Company, as to a portion of proposed roadway;
COLFIT, LLC Series-8, a Utah Series Limited Liability Company, as to all proposed lots;
4. The land referred to in this Report is situated in the County of Washington, State of Utah, and described as follows:
See attached Exhibit A-Legal Description

Southern Utah Title Company

By: 

Authorized Signatory

EXHIBIT A
Legal Description

Beginning at a point that lies North 01°05'29" East along the section line 1372.76 feet and due West 1085.72 feet, from the East Quarter Corner of Section 11, Township 42 South, Range 14 West, Salt lake Base and Meridian, and running thence South 1°04'28" West 289.51 feet; thence South 88°56'00" East 15.00 feet; thence South 01°04'28" West 208.71 feet; thence North 88°56'00" West 257.98 feet; thence North 01°04'28" East 428.03 feet; thence South 88°55'32" East 103.00 feet; thence North 01°04'28" East 90.22 feet; thence South 88°55'32" East a distance of 45.00 feet; thence southeasterly along a 20.00 foot radius non-tangent curve to the Left, (Long Chord bears South 43°55'32" East a distance of 28.28 feet), center point lies South 88°55'32" East through a Central Angle of 90°00'00", a distance of 31.42 feet; thence South 88°55'32" East 74.98 feet to the point of beginning.

Proposed "SAND HOLLOW TOWNHOMES PHASE 1"

Tax Serial No(s). H-4-2-11-111 and H-4-2-11-121

SCHEDULE B
Exceptions

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be by an inspection of the land or which may be asserted by persons in possession, or claiming be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the records or attaching subsequent to the effective date hereof but prior to the date the proposed acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
10. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.
11. Taxes for the current year 2022, which are liens, but not yet due or payable in the following estimated amount(s):
(For the amount due contact the Washington County Treasurer's Office at #435-634-5711)

\$157.43 under Tax Serial No. H-4-2-11-111, Account No. 0168669 (Affects portions of proposed roadway);
\$303.73 under Tax Serial No. H-4-2-11-121, Account No. 0168750 (Affects all proposed lots);
12. Excepting and Reserving to the United States all the oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat. 509), as reserved by the United States of America by Patent recorded May 24, 1921, as Entry No. [21384](#), in Book U-4, at Page 596, Official Washington County Records.
13. Liability to Assessments levied by the Ash Creek Special Service District, as disclosed by Instrument recorded October 16, 1985, as Entry No. [283078](#), in Book 390, at Page(s) 907-916, Official Washington County Records.
(Affects this and other property)

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For reference only:

Page 3 | Reference Number: 224238 - 1st Amended | Underwriter: Old Republic National Title Insurance Company | NC8yMS8yMi1KQw

14. Subject to a Master Communications Easement for Elim Valley, executed by and between Elim Valley Planning and Development, LLC, a Utah Limited Liability Company, as GRANTOR and Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008385](#) and First Amendment to Master Communications Easement for Elim Valley recorded May 20, 2008, as Doc. No. [20080020598](#) , Official Washington County Records.(Affects this and other property)

CORRECTED AMENDED MASTER COMMUNICATIONS EASEMENT, recorded September 22, 2021, as Doc No. [20210062272](#) , Official Washington County Records.

15. Subject to a Master Communications Easement for Elim Valley, executed by and between Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTOR and EVD Communications Infrastructure, LLC, a Utah Limited Liability Company, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008386](#) , and First Amendment to Master Communications Easement for Elim Valley, and First Amendment to Master Communications Easement for Elim Valley, recorded August 6, 2007, as Doc. No. [20070039830](#) , recorded May 20, 2008, as Doc. No. [20080020598](#) , Official Washington County Records. (Affects this and other property)

The interest of EVD Communications Infrastructure, LLC has since passed to Roland L. Walker Irrevocable Trust u/a/d December 23, 1985 by Grant Deed, recorded May 26, 2011, as Doc. No. [20110016187](#) , Official Washington County Records.

The interest of Roland L. Walker Irrevocable Trust u/a/d December 23, 1985 has since passed to 290-470, LLC, an Idaho limited liability company by Grant Deed, recorded June 20, 2017, as Doc No. [20170025395](#) , Official Washington County Records.

Option to Purchase Easement, dated May 16, 2011, executed by and between Roland L. Walker Irrevocable Trust u/a/d December 23, 1985, as OPTIONOR and R & S FARMS UTAH LIMITED PARTNERSHIP, a Utah Limited Partnership, as OPTIONEE, recorded May 26, 2011, as Doc. No. [20110016212](#) , Official Washington County Records.

CORRECTED AMENDED MASTER COMMUNICATIONS EASEMENT, recorded September 22, 2021, as Doc No. [20210062272](#) , Official Washington County Records.

16. Right of Way Easement, recorded August 7, 2008, as Doc No. [20080031347](#) , Official Washington County Records.(Affects a portion of this and other property)

17. Liability to Assessments levied by the Board of County Commissioners of Washington County, Utah, creating and establishing a Special Service District ("Hurricane Valley Fire Special Service District") to provide for fire protection, paramedic services, and ambulance services, as disclosed by Resolution No. R-2007-1203, recorded December 22, 2009, as Doc. No. [20090048182](#) , Official Washington County Records. (Affects this and other property)

A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District, recorded March 1, 2010, as Doc. No. [20100006648](#) , Official Washington County Records.

2nd Amended Hurricane Valley Fire Special Service District, recorded December 30, 2010, as Doc. No. [20100044122](#) , Official Washington County Records.

Resolution No. R-2015-1946, A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District to include the Corporate Limits of the City of Hurricane, recorded November 9, 2015, as Doc. No. [20150039260](#) , Official Washington County Records and Hurricane Valley Fire District 3rd Amended, recorded November 9, 2015, as Doc. No. [20150039261](#) , Official Washington County Records.

Hurricane Valley Fire District 4th Amended, Extended & Clarified, recorded December 14, 2015, as Doc. No. [20150043173](#) , Official Washington County Records.

5th Amended & Extended Hurricane Valley Fire District Local Entity Plat, recorded November 8, 2019, as Doc. No. [20190046477](#) , Official Washington County Records, A Resolution Amending the Boundary of The Hurricane Valley Fire Special Service District to Include the Area Within the Rockville-Springdale Fire Special Service District, recorded November 8, 2019, as Doc. No. [20190046478](#) , Official Washington County Records and Certificate of Boundary Adjustment, with 5th Amended and Extended Hurricane Valley Fire District Local Entity Plat Boundary Description, recorded November 8, 2019, as Doc. No. [20190046479](#) , Official Washington County Records.

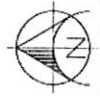
18. Subject to a Water Conservation Easement, dated September 2, 2015, executed by and between Gary Colf, as GRANTOR and Washington County Water Conservancy District, a political subdivision of the State of Utah, as GRANTEE, recorded September 2, 2015, as Doc. No. [20150031211](#) , Official Washington County Records.
19. Subject to easements, notes, restrictions, reservations, any and all other matters as set forth and disclosed on the Proposed Plat of "SAND HOLLOW TOWNHOMES PHASE 1".
20. This report is provided for information purposes only and is not intended to be a Commitment to issue Title Insurance.

Note: The names on Schedule A have been checked for judgments and, if any were found, are disclosed on Schedule B of this Report.

Page 372 of 401

F#224238		Township	Range
		Section	Corner
F: /PUBLIC/ FASTMAP/ O-R14W/ O-T42S/ O-S11/ F#224238			
Shot	Direction	Distance	E-X Total
Point of beginning			0.0000
1.	N 1° 5' 29" E	1309.950	24.9509
2.	W E S T	793.260	-768.3091
3.	N 67° 31' 42" W	14.593	-781.7943
4.	N 88° 55' 32" W	278.810	-1060.5553
5.	S 1° 4' 28" W	237.510	-1065.0090
6.	S 88° 56' 0" E	15.000	-1050.0116
7.	S 1° 4' 28" W	208.710	-1053.9252
8.	N 88° 56' 0" W	257.980	-1311.8605
9.	N 1° 4' 28" E	428.030	-1303.8343
10.	S 88° 55' 32" E	103.000	-1200.8524
11.	N 1° 4' 28" E	90.220	-1199.1606
12.	S 88° 55' 32" E	45.000	-1154.1686
13.	S 43° 55' 32" E	28.284	-1134.5471
14.	S 88° 55' 32" E	345.710	-788.8979
15.	N 72° 13' 30" E	12.923	-776.5915
16.	N 5° 49' 47" E	114.900	-764.9208
17.	N 11° 29' 5" E	31.926	-758.5641
18.	N 17° 8' 23" E	2.100	-757.9452
19.	N 11° 29' 5" E	19.708	-754.0213
20.	N 5° 49' 47" E	36.260	-750.3383
21.	S 84° 10' 13" E	9.000	-741.3848
22.	S 5° 49' 47" W	265.120	-768.3137
CURVE DATA			
Shot	Radius	Arc Length	Central Angle
3.	20.000	14.938	42° 47' 40"
13.	20.000	31.416	90° 0' 0"
15.	20.000	13.159	37° 41' 56"
17.	162.000	31.978	11° 18' 36"
19.	100.000	19.740	11° 18' 36"
			Direction
			LEFT
			LEFT
			LEFT
			RIGHT
			LEFT

SCALE: 1"= 801.40'

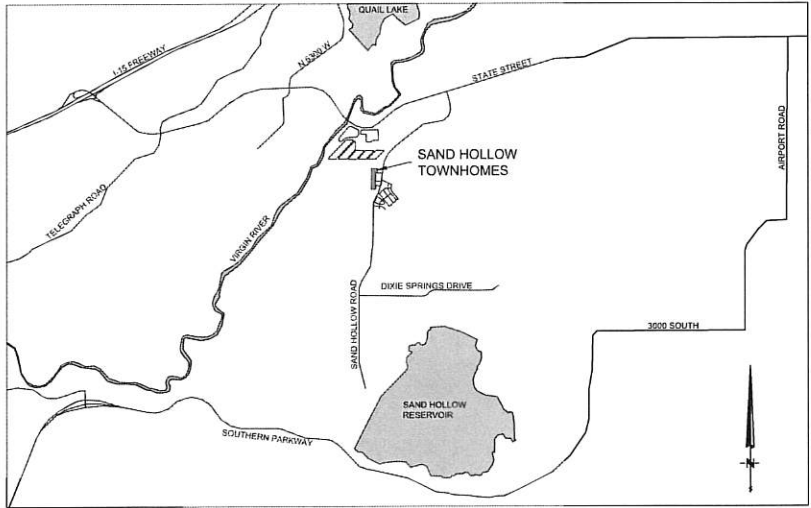


SCALE: 1" = 801.40'

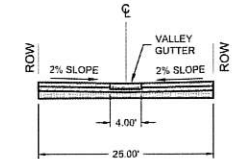
SAND HOLLOW
TOWNHOMES

PRELIMINARY PLAT
LOCATED IN HURRICANE, UTAH

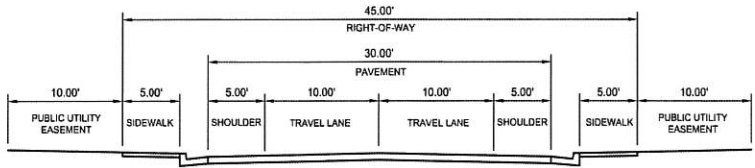
NORTHEAST 1/4 SEC. 11, TOWNSHIP 42 SOUTH, RANGE 14
WEST, SALT LAKE BASE AND MERIDIAN



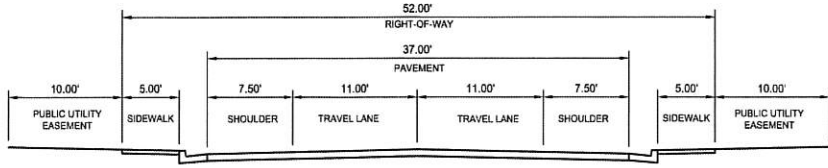
VICINITY MAP
N.T.S.



25' PRIVATE RIGHT OF WAY



45' PUBLIC RIGHT OF WAY



52' PUBLIC RIGHT OF WAY

SANDHOLLOW TOWNHOMES BOUNDARY DESCRIPTION

Beginning at a point that lies thence North 01°05'29" East along the section line 1763.38 feet and West 996.64 feet, from the East Quarter Corner of Section 11, Township 42 South, Range 14 West, Salt Lake Base and Meridian, and running thence North 88°55'32" West 89.18 feet; thence South 01°04'28" West 681.80 feet; thence South 88°56'00" East 15.00 feet; thence South 01°04'28" West 208.71 feet; thence North 88°56'00" West 257.98 feet; thence North 01°04'28" East 1129.15 feet; thence South 88°51'25" East 110.72 feet; thence South 01°04'28" West 132.44 feet; thence South 88°52'21" East 221.44 feet; thence South 01°04'43" West 105.83 feet, to the point of beginning.

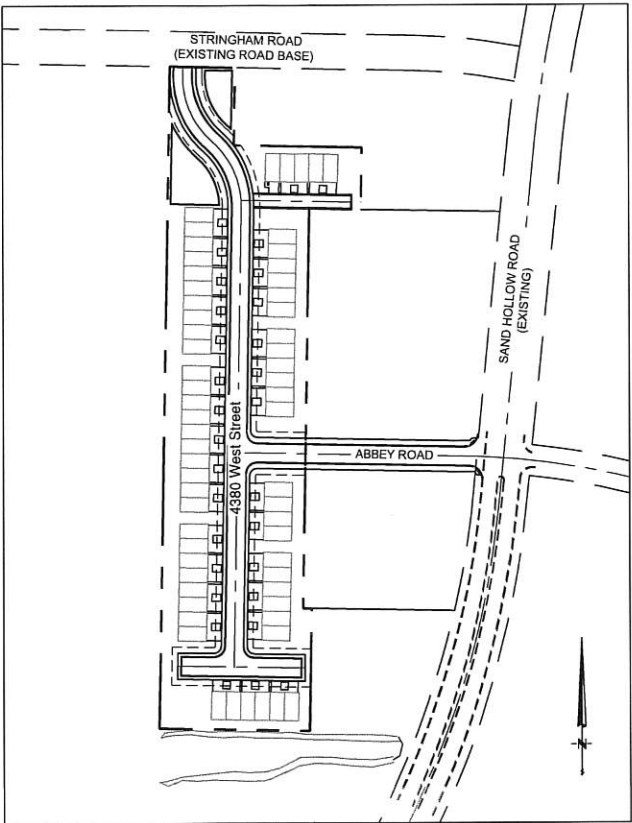
Containing 269,376 square feet or 6.18 acres.

OWNER / DEVELOPER

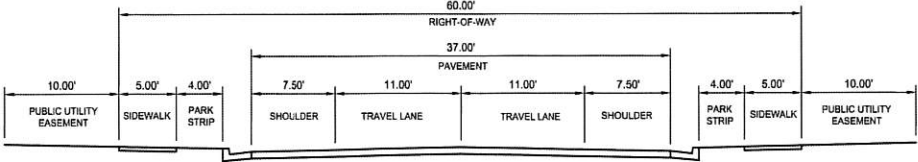
GOLF
PROJECT CONTACT: BOB HERMANDSON
(435) 673-2337
205 EAST TABERNACLE #4
ST. GEORGE, UT 84770

BUSH AND GUDGELL, INC.
PROJECT MANAGER: BOB HERMANDSON
(435) 673-2337
205 EAST TABERNACLE #4
ST. GEORGE, UT 84770

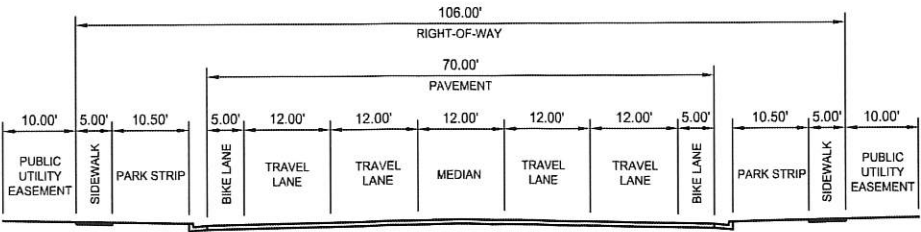
AGEC APPLIED GEOTECH
GEOTECHNICAL ENGINEER: G. WAYNE ROGERS
(435) 673-6850
1420 SOUTH 270 EAST
ST. GEORGE, UT 84770



KEY MAP
1"=150'



STRINGHAM ROAD
(EXISTING, PROPOSED BUILD OUT)



SAND HOLLOW ROAD
(EXISTING, PUBLIC BUILD OUT)

JUNE 2021

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors

205 East Tabernacle #4
St. George, Utah 84770
Phone (435) 673-2337

BUSH & GUDGELL, INC.

Engineers - Planners - Surveyors

205 East Tabernacle Suite #4

St. George, Utah 84770

Phone (435) 673-2337 / Fax (435) 673-3161

www.bushandgudgell.com



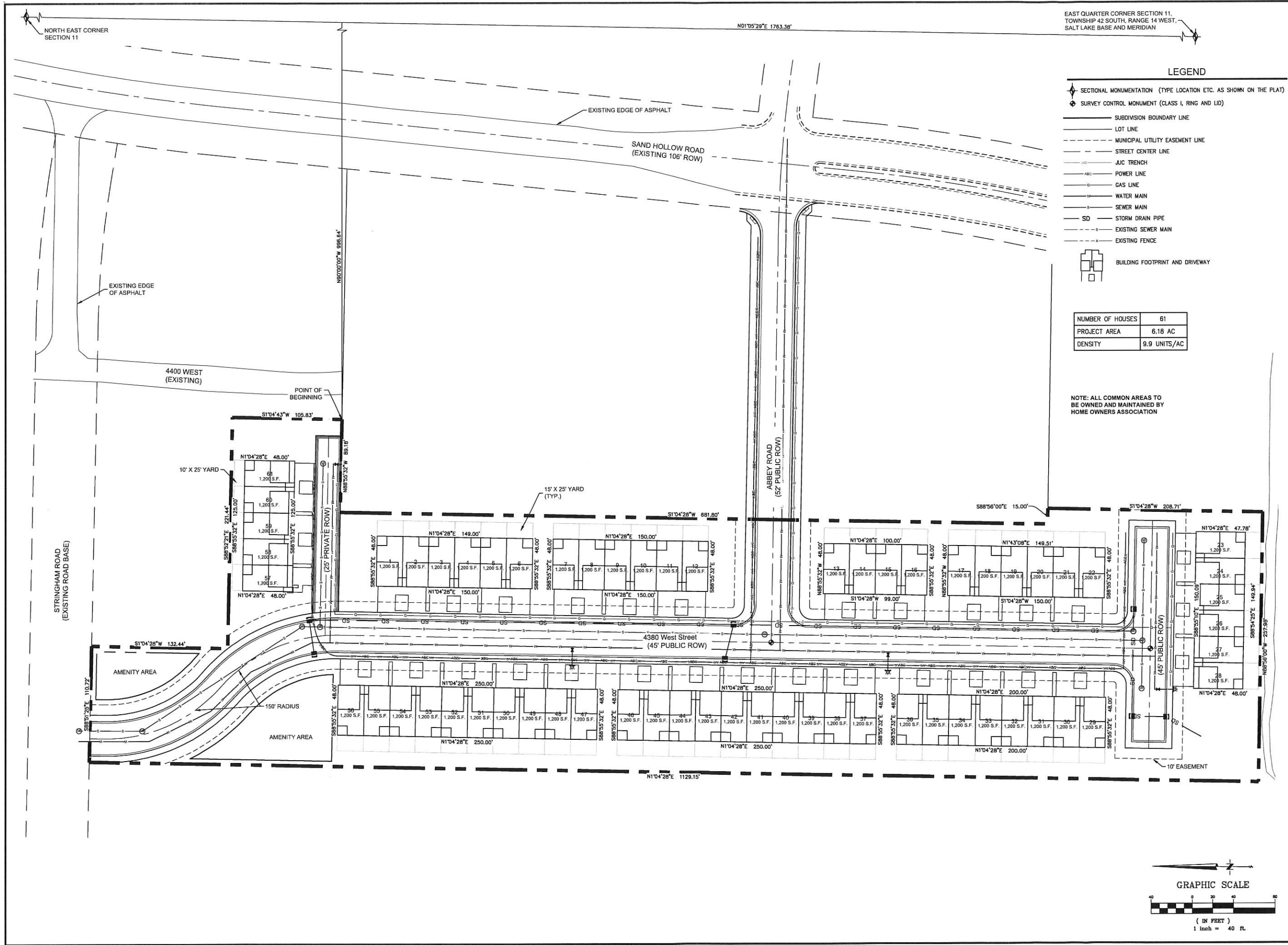
DATE: APRIL 2021
DRAWN: AG
APPROVED: RS
SCALE: NTS
JOB NO. 211065

COVER SHEET

SANDHOLLOW TOWNHOMES
LOCATED IN HURRICANE, UTAH

SHEET
1 of 3

FILE: PRELIMINARY PLAT



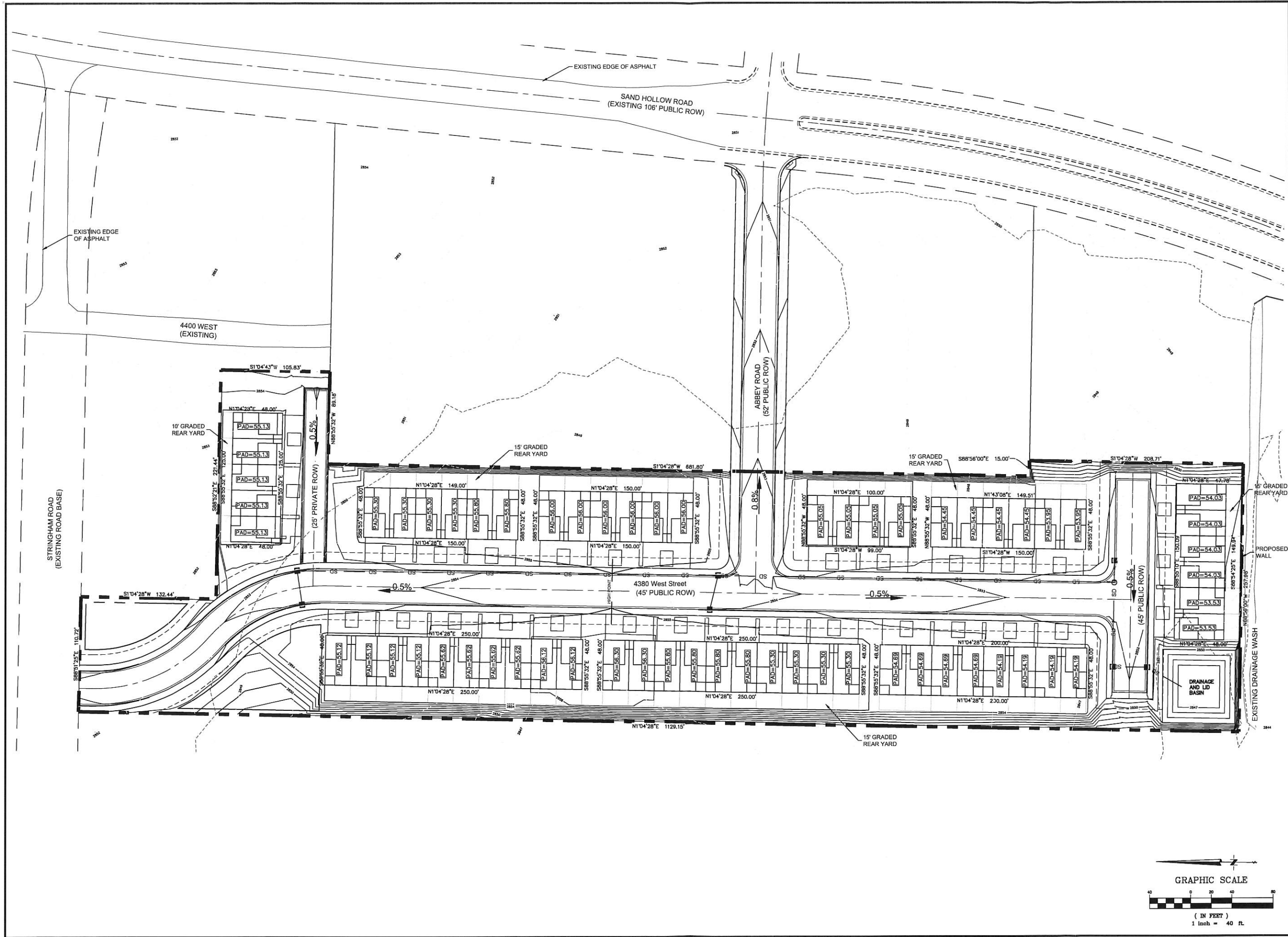
X:\211000-211999\211065 - Sand Hollow Townhomes-Cat\Drawings\Preliminary Plat\Preliminary Plat (New)-211065.dwg

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

LOT LAYOUT AND UTILITIES
SANDHOLLOW TOWNHOMES
LOCATED IN HURRICANE, UTAH

DATE: APRIL 2021
DRAWN: AC
APPROVED: BS
SCALE: 1" = 40'
JOB NO. 211065

SHEET 2 of 3
FILE: PRELIMINARY PLAT



BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernacle Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com

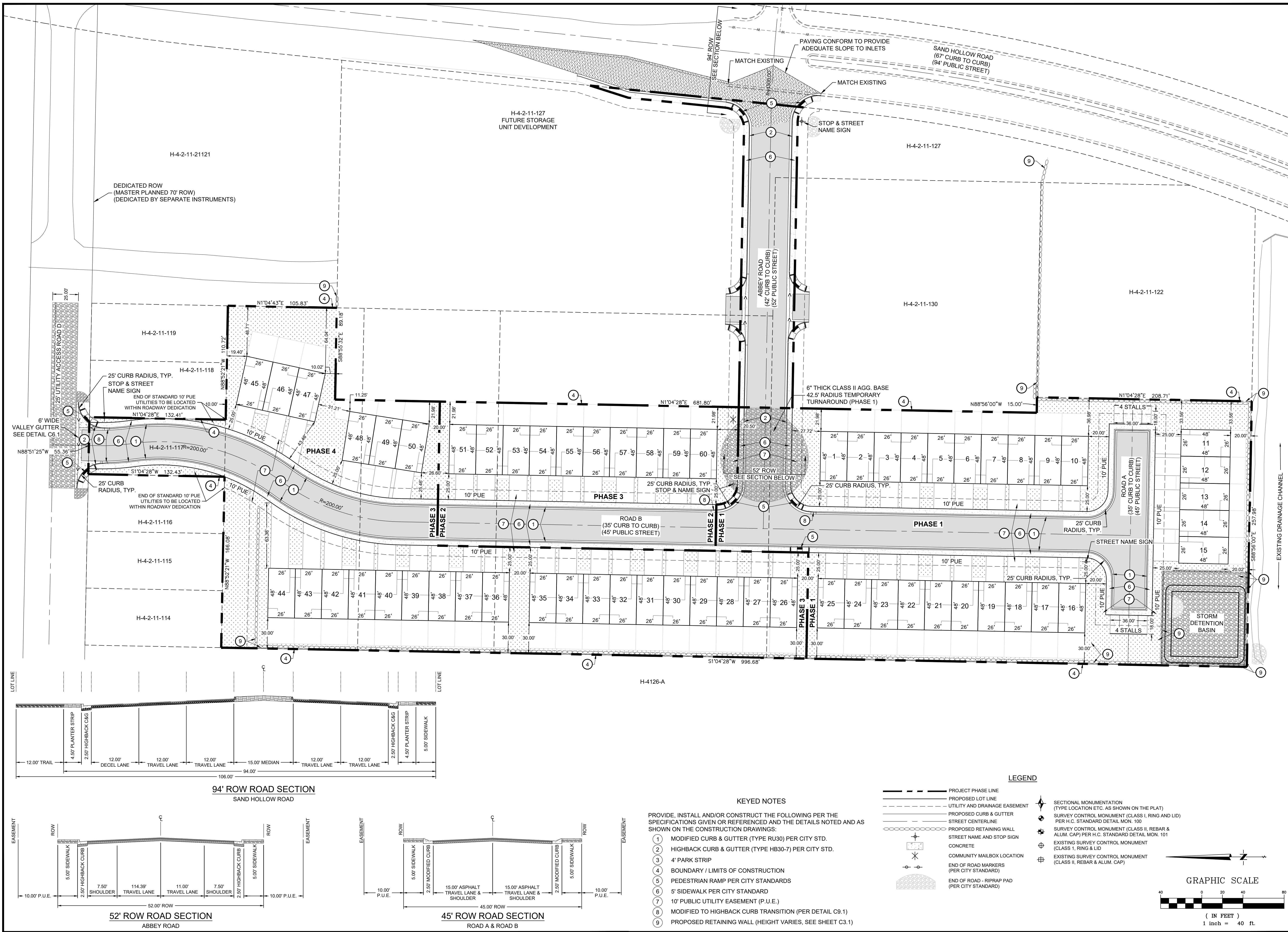


DATE: APRIL 2021
DRAWN: AG
APPROVED: BS
SCALE: 1" = 40'
JOB NO. 211065

GRADING, DRAINAGE, & LID
SANDHOLLOW TOWNHOMES
LOCATED IN HURRICANE, UTAH

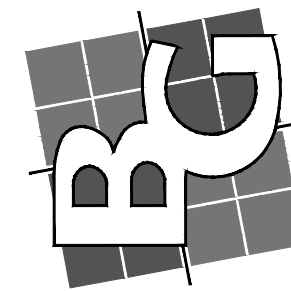
SHEET
3 of 3

FILE: PRELIMINARY PLAT



X:\211000-211999\211065 - Sand Hollow Townhomes-Cof\Drawings\Improvement Plans\Site & Signage.dwg

BUSH & GUDGELL, INC.
Engineers - Planners - Surveyors
205 East Tabernade Suite #4
St. George, Utah 84770
Phone (435) 673-2337 / Fax (435) 673-3161
www.bushandgudgell.com



DATE: 2/14/2022
DRAWN: TR
APPROVED:
SCALE: 1" = 40'
JOB NO.: 211065

SITE & SIGNAGE PLAN
SAND HOLLOW TOWNHOMES
LOCATED IN
HURRICANE, UT 84737

SHEET
C2.1
FILE: 211065 - IMPROVEMENT PLANS



STAFF COMMENTS

Agenda Date:	08/18/2022
Application Number:	2022-PP-18
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Bob Hermandson
Agent:	Bush & Gudgell, Inc
Request:	Approval of a Preliminary Plat
Location:	1200 S Sand Hollow Rd
Zoning:	RM-2
General Plan Map:	Planned Community

Planning Commission Recommendation

The Planning Commission gave a positive recommendation.

Discussion: The applicant originally got preliminary plat approval in June of 2021 however, Hurricane City Code requires that after preliminary plat the applicant has one year to apply for final plat approval. The applicant has failed to do that and the preliminary plat has expired. The construction drawings for the project have received JUC approval. Both the original submittal and the approved construction drawings are attached to this report.

JUC Comments

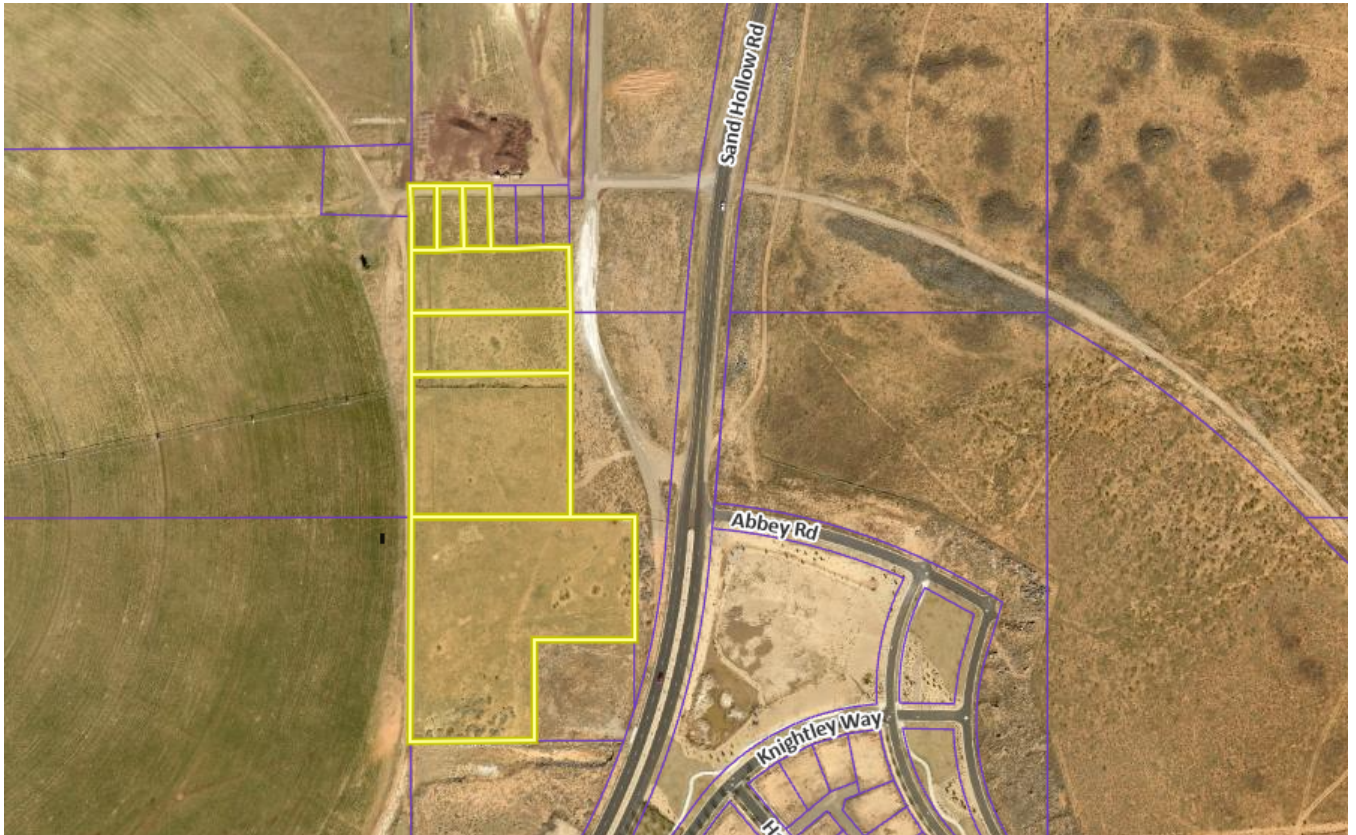
The JUC has approved the construction drawings for the project.

Staff Comments: Preliminary Plat

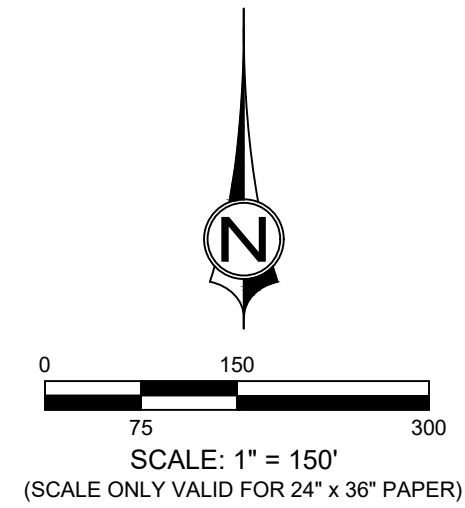
1. The applicant has complied with preliminary plat requirements and original requirements from last year's approval.
2. The applicant had to resubmit the application because the applicant did not submit a final plat within one year of the approval of the preliminary plat.

L. After preliminary plat approval from the City Council, a complete application for final plat approval must be submitted within one year of the preliminary plat approval date. The Planning Commission may authorize a onetime extension not to exceed one year, provided that a written request for extension is received by the City before the one year time period has expired.

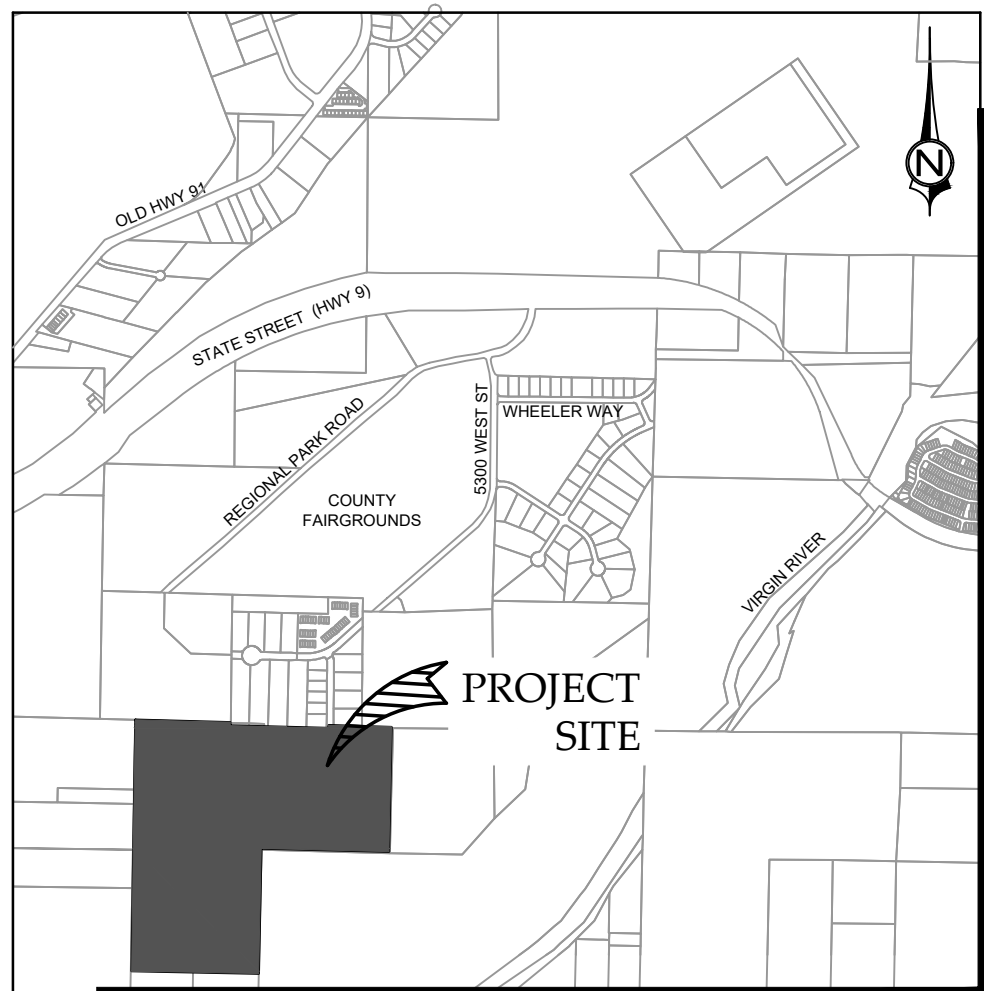
3. The applicant has not submitted a final site plan. This will need to be submitted and approved by the Planning Commission prior to construction.



Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff recommends approval of the preliminary plat.



- LEGEND**
- PROPOSED 8" WATER LINE
 - EXISTING WATER LINE
 - SEWER MANHOLE
 - PROPOSED 8" SEWER LINE
 - EXISTING SEWER LINE
 - EXISTING CONTOUR (5' INTERVAL)
 - PHASE LINE
 - DRAINAGE FLOW DIRECTION



LEGAL DESCRIPTION (ALL PHASES)

BEGINNING AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE S 88°08'24" E 995.87' FEET ALONG THE NORTH LINE OF SAID SECTION 10, TO A POINT ON THE WEST BOUNDARY LINE OF QUAIL CREEK INDUSTRIAL PARK SUBDIVISION PHASE 3, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH; THENCE ALONG SAID SUBDIVISION THE FOLLOWING TWO (2) COURSES: (1) S 0°48'39" W 31.28' FEET, (2) THENCE S 88°08'15" E 785.79' FEET, TO THE SOUTHWEST CORNER OF QUAIL CREEK INDUSTRIAL PARK SUBDIVISION PHASE 2, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER; THENCE ALONG SAID SUBDIVISION BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S 88°08'15" E 247.72' FEET, (2) THENCE N 0°38'37" E 31.33' FEET, (3) THENCE S 88°08'15" E 687.00' FEET ALONG SAID BOUNDARY AND THE EXTENSION THEREOF, TO THE NORTH 1/4 CORNER OF SAID SECTION 10; THENCE S 1°29'08" W 1304.55' FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 10, TO THE CENTER NORTH 1/16TH CORNER, THENCE N 88°23'15" W 1338.75' FEET ALONG THE NORTH 1/16TH LINE TO THE NORTHWEST 1/16TH CORNER OF SAID SECTION 10; THENCE S 1°17'29" W 1310.51' FEET ALONG THE WEST 1/16TH LINE TO THE CENTER WEST 1/16TH CORNER, THENCE N 88°38'05" W 1334.20' FEET ALONG THE CENTER SECTION LINE TO THE WEST 1/4 CORNER OF SAID SECTION 10; THENCE N 1°05'58" E 2632.50' FEET ALONG THE WEST LINE OF SAID SECTION 10, TO THE POINT OF BEGINNING.

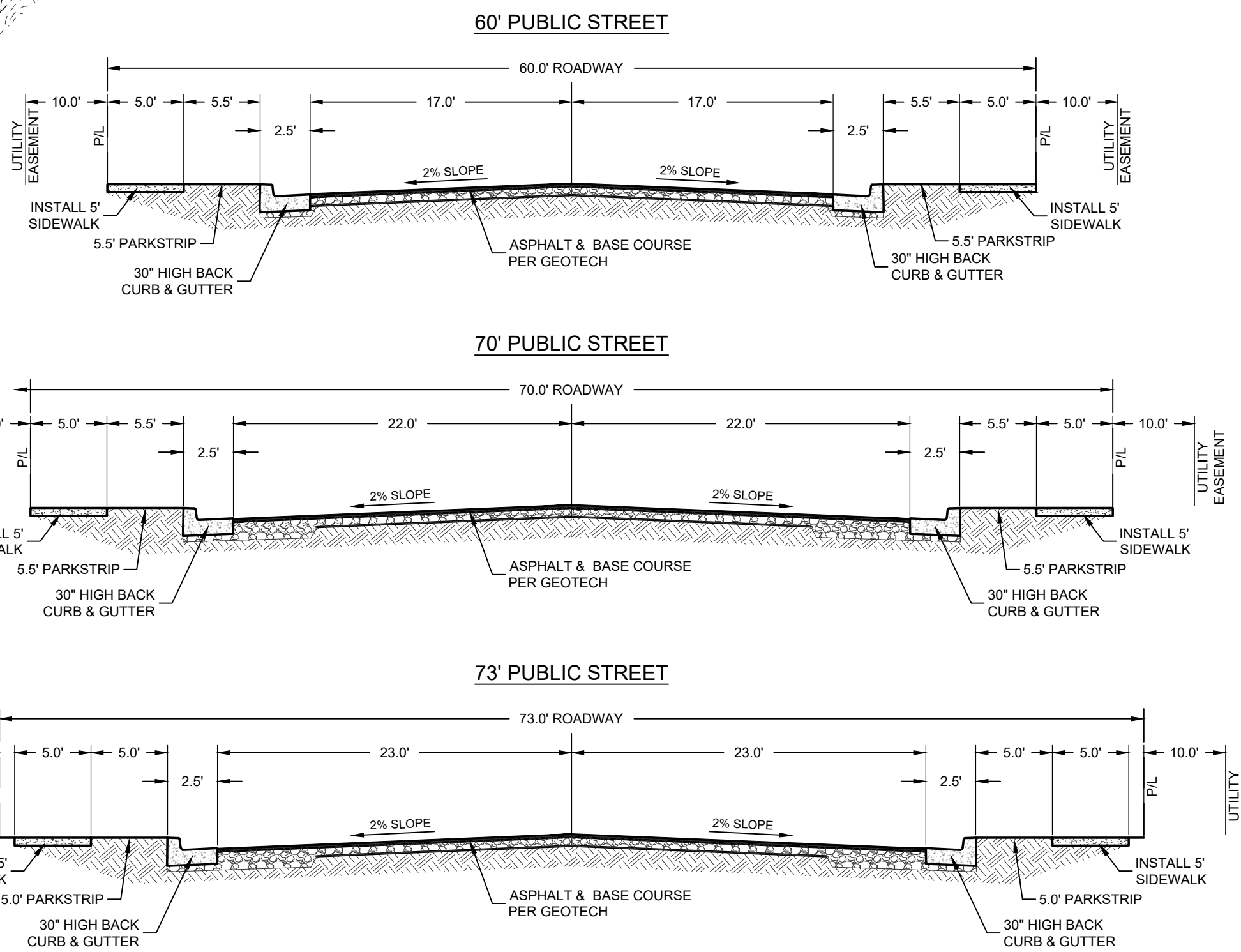
CONTAINS 120.22 ACRES MORE OR LESS

PROJECT NOTES

- PROJECT TO BE DEVELOPED IN MULTIPLE PHASES AS NOTED. PHASE 1 CONTAINS FIFTEEN LOTS ON 25.3 ACRES.
- PROPERTY IS NOT LOCATED IN DESERT TORTOISE TAKE AREA.
- DRAINAGE WILL BE CONVEYED THROUGH A SYSTEM OF CURBS, GUTTERS, CATCH BASINS, AND PIPES. ALL STORM EVENTS WILL CONVERGE THROUGH THIS SYSTEM TO A DETENTION BASIN THAT WILL BE DESIGNED AT THE LOW POINT OF THE SITE (NORTH OF LOT #601). AN OUTLET WILL BE DESIGNED IN THE BASIN THAT WILL ALLOW STORM FLOWS TO ULTIMATELY DAYLIGHT TO THE WEST OF THE SITE. INDIVIDUAL LOTS WILL PROVIDE REAR LOT DETENTION. OFFSITE FLOWS WILL BE MITIGATED THROUGH THIS SAME SYSTEM.
- SEWER FLOWS WILL BE DIRECTED TO A SEWER LIFT STATION AT THE LOW POINT OF THE SITE (NORTH OF LOT #601) VIA A GRAVITY SYSTEM. A SEWER FORCE MAIN WILL THEN DIRECT FLOWS OUT OF THE LIFT STATION NORTH ALONG REGIONAL PARK ROAD, THEN EAST ALONG THE NORTHERN END OF THE SITE AND THEN OUT TO THE NORTH ALONG THE PROPOSED REALIGNMENT OF PURGATORY ROAD. THIS FORCE MAIN WILL CONNECT TO A GRAVITY SEWER MAIN.

USGS SPECIAL STUDY 127

- GEOLOGIC HAZARD FAULTS AND SURFACE FAULTING: CONSIDERED LOW
- GEOLOGIC HAZARD LIQUEFACTION: CONSIDERED LOW
- FEMA FLOODING: NOT AFFECTED
- GEOLOGIC HAZARD LANDSLIDE HAZARD: CONSIDERED LOW
- GEOLOGIC HAZARD ROCK FALL HAZARD: NOT AFFECTED
- PROBLEM SOIL & ROCK HAZARDS: SILTY SAND OVERLYING FRACTURED CLAYSTONE/SILTSTONE/SANDSTONE BEDROCK
- SHALLOW GROUND WATER: GROUND WATER NOT ENCOUNTERED
- NO EXPANSIVE OR COLLAPSIBLE SOILS HAVE BEEN ENCOUNTERED (GEOTECHNICAL REPORT HAS BEEN PROVIDED)



PROPERTY OWNER
D & G PROPERTY HOLDING LLC
1413 SANDHILL DR
WASHINGTON, UT 84780
DENNETTCONSTRUCTION@GMAIL.COM

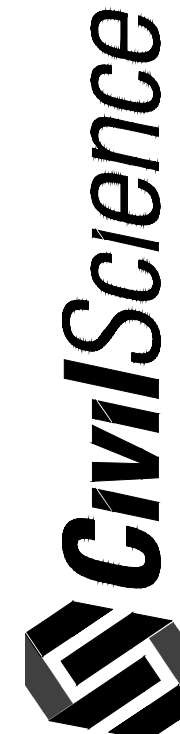
PROJECT INFORMATION
AREA: 120.22 ACRES
UNITS: 76 INDUSTRIAL UNITS
STREETS: PUBLIC STREETS
ZONING: M-1

QUAIL CREEK INDUSTRIAL PHASES 5-8
AMENDED PRELIMINARY PLAT
SECTION 10, T 42 S, R 14 W, SLB&M

QUAIL CREEK INDUSTRIAL PHASES 5-8
AMENDED PRELIMINARY PLAT
LOCATED IN HURRICANE, UTAH

PROJ. #:	FF21292.00
DRAWN BY:	AWIS
DATE:	7/26/2022
CHECKED BY:	BLW
SCALE OF SHEET	HOR SCALE: 1" = 150'
SHEET	1
OF	1

1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100





STAFF COMMENTS

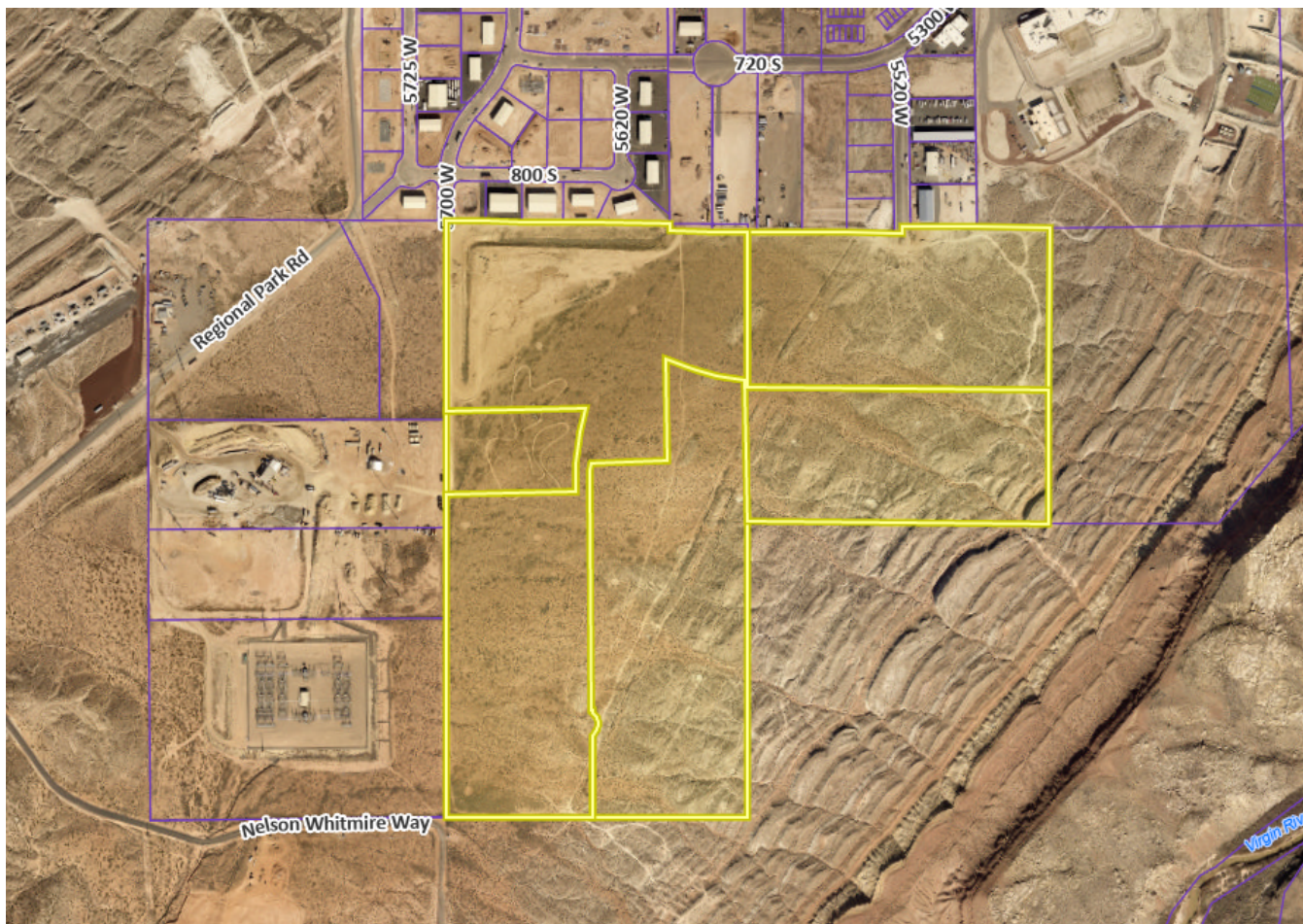
Agenda Date:	08/18/2022
Application Number:	2022-PP-09
Type of Application:	Preliminary Plat
Action Type:	Administrative
Applicant:	Dennett Construction
Agent:	Civil Science-Brandee Walker
Request:	Approval of a Preliminary Plat
Location:	Regional Park Road and 1000 S
Zoning:	M-1
General Plan Map:	Light Industrial/Business

Planning Commission Recommendation

The Planning Commission gave a positive recommendation on the proposed preliminary plat, including that the application provide a dedicated right-of-way between lots 603 and 604, but that the applicant would not be responsible for improvements of the right-of-way. The recommendation was also subject to staff and JUC comments.

Discussion: This plat was initially approved in April of this year, however the applicant decided to make some major changes to the plat. The initial plat had a roadway, Regional Park Road, running along the western property boundary, a property boundary that coincides with the municipal boundary. The neighboring property owners were not interested in participating in the roadway, or even having it on their property line and thus the roadway was shifted to run entirely within the development.

Hurricane City Code 10-39-16 states that, *“The procedure for consideration and approval of any addition, alteration, modification, or change to an approved plat shall be substantially the same as is required for initial plat approval unless the Zoning Administrator determines that such addition, alteration, modification, or other change does not constitute a significant change from the intent or effect of the approved plat.”* Typically, staff has interpreted this to mean that any change of a plat that increases the impact of the development has to get Planning Commission and City Council approval. This redesign adds 13 additional lots to the subdivision which staff has interpreted as a major change worthy of additional review



JUC Comments

1. **Power:** Hurricane Power will discuss with the applicant a route for transmission lines through or around the property. We still advise the applicant to contact UAMPS about access to easement behind lots 501-509. Need to work with Power for a future transmission line.
2. **Water:** No comments
3. **Cable:** No comments
4. **Sewer:** The applicant has two options for sewer: (1) extend gravity sewer as close to 5520 W as possible-10" line. Tie proposed pressure line from phases 5-8 and current pressure line into the new manhole. Upsize the existing gravity line from 5300 W north. (2) Upsize existing gravity sewer from 5300 W to 12".
5. **Public Works:** Northwest corner must be dedicated by PacifiCorp as a roadway
6. **Streets:** No comments
7. **Engineering:** Coordinate possible access and utilities through lots 603 and 604 to the JTD parcel. Propose a termination for existing 5520 W. Purgatory Road has a 77' ROW.
8. **Fire:** Temporary turnarounds required

Staff Comments

1. The zoning of the property is M-1 and is planned to serve as a light industrial park.
2. Lots within the proposed development have a variety of sizes, which will allow for multiple types of industrial uses to come into the development. The smallest lot is .54 acres, and the largest is 20.93 acres

3. Lot 620 states it is for “future RV and storage units”. RV storage is allowed in M-1, but an RV Park is not allowed in a light industrial zone.



JTD Trucking Shared Property Line. JTD Trucking has been using the bladed road for access, but it does not appear to be historic access from aerial photos.

4. Pacificorp (the property owner along most of the western boundary) is not interested in having any additional traffic near their substation and storage area and thus the road was moved. JTD Trucking (the other property owner on the western boundary) has shown interest in having a road connection to this property but negotiations are ongoing between the applicant and them. Lots 603 and 604 are extra wide to accommodate a possible future roadway
 - a. All three properties on the western boundary of this plat have other available accesses and will not be landlocked by this plan
 - b. Block Lengths: Hurricane City Design Standards State the Following:
3.2.4.2 INTERSECTIONS
F. When designing local road networks, block lengths without an intervening connector street shall not exceed eight hundred feet (800') in length unless previous approval has been obtained from the City Engineer. Cul-de-sacs are not considered an intervening connecting street.
 - c. Connecting Streets: Hurricane City Code states the following for connectivity within subdivisions:

Sec. 10-39-11. - Subdivision streets and fencing.

A. Relation to adjoining street systems.

- 1. The arrangements of streets in new subdivisions shall make provision for the continuation of the existing streets to adjoining areas insofar as such may be deemed necessary by the Planning Commission for public requirements. New streets within subdivisions shall not preclude future access to adjoining properties.*
- 2. Standard residential streets shall approach the arterial or collector streets at an angle of not less than 80 degrees.*
- 3. Except as otherwise provided elsewhere in this Code, all subdivision streets and roadways shall be constructed and installed in accordance with the City roadway construction standards.*

Based on these standards, staff does have a concern about the length of the street without a continuation of the proposed street to the neighboring property. Based on the Hurricane City design standards, the block length is over 800' on the western side. There is also concern that, if JTD Trucking ever wished to more fully develop and annex into the City, how access to the City's utilities and roadways would work for this property.

After discussion with the applicant, a connection to the JTD Trucking property will be required as a right-of-way dedication but no utilities or asphalt will be required at this time.

5. Plat indicates that the property is not in a desert tortoise take area
6. **Master Plan Roadways:** The property is traversed by the future Purgatory Roadway System that will connect SR-7, Washington Dam Road, and SR-9. This project has been a coordination between Hurricane, Washington City, Washington County, and UDOT. This alignment and cross-section will need to be coordinated with engineering in more detail in construction drawings. This road also has a planned side path on the west side in the 2021 Active Transportation Master Plan. The applicant has signaled a willingness to work with staff on this.
 - a. The Purgatory Road alignment shown on the plat is not what is currently recorded on the plats for Quail Creek Industrial Park Phase 2. The City and Washington County has purchased property to realign the roadway however the plats need to be amended so that this plat has the second roadway dedication. The City and County will be working to amend these plats as this project moves forward.



Recommendation: Staff recommends the City Council review this application based on standards with Hurricane City Code. Staff would recommend approval of the preliminary plat subject to the conditions listed within this report.

LOAD SERVICE CONTRACT
(PacifiCorp Load on Meters Number 82140348 and 51615022)

This LOAD SERVICE CONTRACT (this "Agreement") is entered into this 18th day of August, 2022 (the "Effective Date"), by and between PacifiCorp, an Oregon corporation ("PacifiCorp"), and the City of Hurricane, a municipal corporation under the laws of the State of Utah ("Hurricane"), with reference to the following:

WHEREAS, PacifiCorp desires to purchase and receive firm electric power and energy for the purpose of providing service to the PacifiCorp customers delivered to the meter described in Exhibit A (the "PacifiCorp Load"); and

WHEREAS, PacifiCorp wishes to purchase from Hurricane the electricity to serve the PacifiCorp Load, and Hurricane is willing to sell PacifiCorp such energy, to be delivered by Hurricane directly to the PacifiCorp Load, on the terms set forth herein; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. Definitions; Rules of Interpretation. Initially capitalized terms not defined herein are defined in the Utah Uniform Commercial Code (the "UCC"). Unless otherwise required by the context, (a) the words "herein," "hereof" and "hereunder" refer to this Agreement as a whole and not to any particular section; (b) "including" is to be construed in its broadest sense to mean "including, but not limited to" and (c) the word "or" is not necessarily exclusive. No term of this Agreement shall be construed against a party on the ground that the party is the author of that provision.

2. Representations and Warranties. Each party represents and warrants to the other that it has full power and authority, and has obtained all required approvals, if any, to enter into this Agreement and perform its obligations hereunder.

3. Term. This Agreement will be in effect from September 1, 2022 until January 31, 2023, unless terminated earlier upon written agreement of the parties. All provisions other than those related to the obligation to deliver electricity survive the expiration of termination or this Agreement.

4. Sale by Hurricane to PacifiCorp. Hurricane will sell electricity to PacifiCorp, delivered by Hurricane directly to the PacifiCorp Load, as continuous uninterrupted electric service meeting all quality standards of the North American Energy Standard Board and the North American Electric Reliability Corporation, as applicable.

5. Pricing. Daily pricing for the electricity to be supplied to PacifiCorp shall be \$125.00/MWh for all metered PacifiCorp Load energy.

6. Taxes and Costs. PacifiCorp shall be responsible for any taxes, purchased power costs, and any other costs incurred by Hurricane in fulfilling its obligations for the provision of

energy under this Agreement, which cost would otherwise not have been incurred, had such service not been provided.

7. Maximum Delivery Rate for the PacifiCorp Load. The maximum delivery rate to the PacifiCorp Load shall be 3.0 megawatts per hour. At no point shall deliveries to the PacifiCorp Load under this Agreement exceed 3.0 megawatts per hour.

8. Metering. Metering equipment reasonably satisfactory to PacifiCorp and Hurricane required to measure the PacifiCorp Load for billing purposes under this Agreement shall be furnished, maintained, and read by the party that owns the meter. For purposes of calculating the invoice, either party may read the meter of the PacifiCorp Load.

9. Billing. By the 10th day of each month, Hurricane will provide PacifiCorp with an invoice setting forth the amount of energy delivered to the PacifiCorp Load and the associated charges for such deliveries for the prior month.

10. Payment. PacifiCorp shall pay any charges owing under this Agreement on the 15th day after the receipt of the invoice. Either party shall have the option but not the obligation to net the payments owing under this Agreement to any payments owing under the Load Service Contract (Hurricane Load on Meters Number 82140348 and 66686456) entered into between the parties with the effective date of August 18, 2022 (the “Hurricane Load Agreement”).

Without limiting the generality of the foregoing, if there are damages for breach hereof that are ordered by a court of competent jurisdiction to be payable by one party to the other party that remain outstanding and unpaid after they become due (following any applicable appeal proceedings or appeal period), such damages may also be netted from the amounts payable, if any, by the party to whom such damages are owed.

11. Sale of Goods. The parties intend this transaction to be a (a) sale of electricity as a good pursuant to the UCC and (b) an enforceable requirements contract, for all requirements at the meters, pursuant to UCC §2-306 (Utah Code 70A-2-306).

12. Communications. PacifiCorp customers in the PacifiCorp Load must contact PacifiCorp directly in the event their electric service is interrupted. PacifiCorp is responsible for all distribution related maintenance and repairs, including responding to outages, for the PacifiCorp Load.

13. Waiver of Immunities. Each party hereby waives, to the fullest extent permitted by applicable law, with respect to itself and its revenues and assets (irrespective of their intended use), all immunity on the grounds of sovereignty or similar grounds from (a) suit, (b) jurisdiction of any court, (c) relieve by way of injunction, order for specific performance or for recover of property, or (d) execution or enforcement of any judgment to which it or its revenues or assets might otherwise become subject in the courts of any jurisdiction and irrevocably agrees, to the extent permitted under applicable law, that it will not claim any such immunity in any judicial or other proceedings.

14. Termination. In the event one party hereto fails to perform its obligations hereunder, the other party may provide written notice to the other, and if such failure is not cured within sixty days of such notice, terminate this Agreement without penalty or payment (other than amounts due or damages on account of breach).

15. Indemnity. PacifiCorp will indemnify and hold Hurricane and its officers, employees and agents harmless from and against any loss, claims or damage caused to any person or property in the PacifiCorp Load relating to or arising from electric service provided by PacifiCorp including any loss, claim, action or suit, for or on account of injury, bodily or otherwise, to, or death of, persons, or for damage to, or destruction or economic loss of property.

Except as expressly provided in this Section, each party to this Agreement hereby assumes all liability for injury or damage to persons or property arising from any negligent act of its own employees, agents or contractors and shall indemnify and hold the other harmless from any liability arising therefrom.

16. Uncontrollable Force. Neither party shall be considered in default in performance of any obligation hereunder (other than for payment of moneys due) if failure of performance shall be due to Uncontrollable Force. The term “Uncontrollable Force” means any cause beyond the control of the party affected, including, but not limited to, failure of facilities, flood, earthquake, storm, fire, lightning, epidemic, war, riot, civil disobedience, labor dispute, labor or material shortage, sabotage and action or non-action by court order or public authority or failure to obtain the necessary authorizations or approvals from governmental agency or authority which by exercise of due foresight such party could not reasonably have been expected to avoid, and to overcome. A party shall not, however, be relieved of liability for failure of performance if such failure is due to causes arising out of its own negligence or to removable or remediable causes which it fails to remove or remedy with reasonable dispatch. Any party rendered unable to fulfill any obligation by reason of Uncontrollable Force shall exercise due diligence to remove such liability with all reasonable dispatch. Nothing contained herein, however, shall be construed to require a party to prevent or to settle a labor dispute against its will.

17. Public Announcements. Except as required by law, neither party may issue any press release or make any announcement in relation to this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld or delayed.

18. Amendments. The parties may amend this Agreement only in writing, signed by both parties hereto and, if necessary, submitted to FERC for acceptance of filing.

19. Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which is an original and all of which taken together constitute one and the same instrument.

20. No Third Party Beneficiaries. Notwithstanding anything to the contrary herein, this Agreement does not confer any rights upon any person other than the parties and their respective successors and permitted assigns. There are no intended third party beneficiaries of this Agreement.

21. Entire Agreement. This Agreement supersedes all prior agreements, proposals, representations, negotiations, discussions or letters, whether oral or in writing, regarding the subject matter of this Agreement. This Agreement does not supersede the Hurricane Load Agreement.

22. Further Assurances. Each party will use all commercially reasonable efforts to cause the transactions that this Agreement contemplates to be consummated; and obtain all consents and authorizations of third parties, and make all filings with, and give all notices to, third parties that may be necessary in order to consummate the transactions contemplated by this Agreement. Without limiting the generality of the foregoing, each party will (i) make all filings with governmental authorities required in connection with the transactions contemplated by this Agreement as promptly as practicable after the date of this Agreement; (ii) use all commercially reasonable efforts to furnish or cause to be furnished, as promptly as practicable, all information and documents reasonably required to obtain the approvals; and (iii) otherwise cooperate in all reasonable respects with the applicable governmental authorities to obtain any required governmental approvals in as expeditious a manner as possible.

23. Choice of Law. This Agreement will be governed by and construed in accordance with the laws of the state of Utah.

24. Successors and Assigns. This Agreement will be binding upon, and inure to the benefit of the parties' respective successor and assigns. PacifiCorp may not delegate its obligations hereunder without PacifiCorp's prior written consent.

25. Waiver of Jury Trial. EACH PARTY KNOWINGLY, VOLUNTARILY, INTENTIONALLY AND IRREVOCABLY WAIVES THE RIGHT TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION BASED ON THIS AGREEMENT, OR ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT AND ANY AGREEMENT EXECUTED OR CONTEMPLATED TO BE EXECUTED IN CONJUNCTION WITH THIS AGREEMENT, OR ANY COURSE OF CONDUCT, COURSE OF DEALING, STATEMENTS (WHETHER VERBAL OR WRITTEN) OR ACTIONS OF ANY PARTY TO THIS AGREEMENT. THIS PROVISION IS A MATERIAL INDUCEMENT TO EACH OF THE PARTIES FOR ENTERING INTO THIS AGREEMENT. EACH PARTY HEREBY WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION, PROCEEDING OR COUNTERCLAIM ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT AND ANY OTHER AGREEMENT EXECUTED OR CONTEMPLATED TO BE EXECUTED IN CONJUNCTION WITH THIS AGREEMENT, OR ANY MATTER ARISING HEREUNDER OR THEREUNDER IN WHICH A JURY TRIAL HAS NOT OR CANNOT BE WAIVED.

26. Disputes. The parties shall attempt in good faith to resolve all disputes arising out of, related to or in connection with this Agreement promptly by negotiation. Any party may give the other party written notice of any dispute not resolved in the normal course of business. Executives of both parties at levels at least one level above the personnel who have previously been involved in the dispute shall meet at a mutually acceptable time and place within ten (10) days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to

exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within 30 days after the referral of the dispute to such senior executives, or if no meeting of senior executives has taken place within 15 days after such referral, either party may request that the matter be submitted to nonbinding mediation. The mediation shall be conducted by a single mediator mutually agreed to by the parties. The mediation shall consist of one or more informal, nonbinding meetings between the parties and the mediator, jointly and in separate caucuses, out of which the mediator will seek to guide the parties to a resolution. The mediation process shall continue until the resolution of the dispute, or the termination of the mediation process by either party. The costs of the mediation, including fees and expenses, shall be borne equally by the parties. All verbal and written communications between the parties and issued or prepared in connection with this Section shall be deemed prepared and communicated in furtherance, and in the context, of dispute settlement, and shall be exempt from discovery and production, and shall not be admissible in evidence (whether as admission or otherwise) in any litigation or other proceedings for the resolution of the dispute. The parties agree that no statements of position or offers of settlement made in the course of the dispute process described in this Section will be offered into evidence for any purpose in any litigation between the parties, nor will any such statements or offers of settlement be used in any manner against either party in any such litigation. Further, no such statements or offers of settlement shall constitute an admission or waiver of rights by either party in connection with any such litigation. At the request of either party, any such statements and offers of settlement, and all copies thereof, shall be promptly returned to the party providing the same.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date first above written.

PACIFICORP

CITY OF HURRICANE, UTAH

By: _____
 Name: Heather Eberhardt
 Title: Sr. Commercial Services
 Power Marketer

By: _____
 Name: Nanette Billings
 Title: Mayor

Exhibit A

Meter numbers:	82140348	Gateway Substation (Anticline)
		Net meter readings from Hurricane to PacifiCorp
	51615022	Sky Ranch load

LOAD SERVICE CONTRACT
(Hurricane Load on Meters Number 82140348 and 66686456)

This LOAD SERVICE CONTRACT (this "Agreement") is entered into this 18th day of August, 2022 (the "Effective Date"), by and between PacifiCorp, an Oregon corporation ("PacifiCorp"), and the City of Hurricane, a municipal corporation under the laws of the State of Utah ("Hurricane"), with reference to the following:

WHEREAS, Hurricane desires to purchase and receive firm electric power and energy for the purpose of providing service to the Hurricane customers delivered to the meters described in Exhibit A (the "Hurricane Load"); and

WHEREAS, Hurricane wishes to purchase from PacifiCorp the electricity to serve the Hurricane Load, and PacifiCorp is willing to sell Hurricane such energy, to be delivered by PacifiCorp directly to the Hurricane Load, on the terms set forth herein; and

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

1. Definitions; Rules of Interpretation. Initially capitalized terms not defined herein are defined in the Utah Uniform Commercial Code (the "UCC"). Unless otherwise required by the context, (a) the words "herein," "hereof" and "hereunder" refer to this Agreement as a whole and not to any particular section; (b) "including" is to be construed in its broadest sense to mean "including, but not limited to" and (c) the word "or" is not necessarily exclusive. No term of this Agreement shall be construed against a party on the ground that the party is the author of that provision.
2. Representations and Warranties. Each party represents and warrants to the other that it has full power and authority, and has obtained all required approvals, if any, to enter into this Agreement and perform its obligations hereunder.
3. FERC Standards of Conduct. Hurricane understands that PacifiCorp conducts its operations in a manner intended to comply with Federal Energy Regulatory Commission (FERC) Order No. 717, Standards of Conduct for Transmission Providers, and any subsequent and superseding orders requiring the separation of its transmission and merchant functions. For purposes of this Agreement, PacifiCorp in its transmission function shall be deemed to be a separate entity and separate contracting party whether or not any interconnection or other agreements are entered into with PacifiCorp in its transmission function and Hurricane.
4. Term. This Agreement will be in effect from September 1, 2022 until January 31, 2023, unless terminated earlier upon written agreement of the parties and acceptance for filing by FERC. All provisions other than those related to the obligation to deliver electricity survive the expiration of termination or this Agreement.
5. Sale by PacifiCorp to Hurricane. PacifiCorp will sell electricity to Hurricane, delivered by PacifiCorp directly to the Hurricane Load, as continuous uninterrupted electric

service meeting all quality standards of the North American Energy Standard Board and the North American Electric Reliability Corporation, as applicable.

6. Pricing. Daily pricing for the electricity to be supplied to Hurricane pursuant to this Agreement shall be the lower of a, b or c as listed below:

- a. \$125.00/MWh for all metered Hurricane Load energy
- b. The sum of the following:
 - (i) Maximum Demand Charge calculated by PacifiCorp's Energy Supply Management group:

The Maximum Demand Charge shall be capped using the following methodology:

Units Most Likely To Participate Methodology

Monthly	Up to \$11,317/MW
Weekly	Up to \$2,612/MW
Daily	Up to \$522/MW, provided, however, that the daily rate of \$522/MW shall not exceed the product of the number of kilowatts sold for a week multiplied by the maximum weekly demand charge of \$2,612/MW.
Hourly	Up to \$32.64/MW, provided, however, that the hourly rate of \$32.64/MW shall not exceed the product of the number of kilowatts sold for a day multiplied by the maximum daily demand charge of \$522/MW, and also not exceed the product of the number of kilowatts sold for a week multiplied by the maximum weekly demand charge of \$2,612/MW.

- (ii) Energy Charge of 100% of SIC¹, plus up to 10% of SIC; and
 - (iii) All costs incurred by PacifiCorp (internal and external) for transmission service, ancillary services, and transmission losses.
- c. The internal and external costs incurred by PacifiCorp in the event it enters into a purchased power transaction specifically for the purpose of purchasing from a market resource and reselling to Hurricane the power necessary to supply the Hurricane Load hereunder. Provided, however, the rates shall not exceed the sum of the following:
 - (i) PacifiCorp's out-of-pocket costs of purchasing such capacity and/or energy,

¹ System Incremental Costs ("SIC") means all reasonably forecasted costs of such power and/or energy and which otherwise would not have been incurred by PacifiCorp including, but not limited to, costs associated with fuel, labor, variable operation and maintenance, start-up, shut-down, fuel handling, taxes or other similar governmental impositions, regulatory commission charges, emission allowances and other environmental compliance costs.

including all related charges incurred for transmission service, ancillary services, transmission losses and any applicable taxes or other similar governmental impositions; and

- (ii) \$1.00 per megawatt-hour multiplied by the total megawatt-hours scheduled.

7. Taxes and Costs. Hurricane shall be responsible for any taxes, purchased power costs, and any other costs incurred by PacifiCorp in fulfilling its obligations for the provision of energy under this Agreement, which cost would otherwise not have been incurred, had such service not been provided, but in no case will the total cost to Hurricane for the electricity provided by PacifiCorp exceed prices established in Section 6(a).

8. Maximum Delivery Rate for the Hurricane Load. The maximum delivery rate to the Hurricane Load shall be 3.0 megawatts per hour. At no point shall deliveries to the Hurricane Load under this Agreement exceed 3.0 megawatts per hour.

9. Metering. Metering equipment reasonably satisfactory to PacifiCorp and Hurricane required to measure the Hurricane Load for billing purposes under this Agreement shall be furnished, maintained, and read by the party that owns the meter. For purposes of calculating the invoice, either party may elect to read the meter of the Hurricane Load.

10. Billing. By the 10th day of each month, PacifiCorp will provide Hurricane with an invoice setting forth the amount of energy delivered to the Hurricane Load and the associated charges for such deliveries for the prior month.

11. Payment. Hurricane shall pay any charges owing under this Agreement on the 15th day after the receipt of the invoice. Either party shall have the option but not the obligation to net the payments owing under this Agreement to any payments owing under the Load Service Contract (PacifiCorp Load on Meters Number 82140348 and 51615022) entered into between the parties with the effective date of August 18, 2022 (the "PacifiCorp Load Agreement").

Without limiting the generality of the foregoing, if there are damages for breach hereof that are ordered by a court of competent jurisdiction to be payable by one party to the other party that remain outstanding and unpaid after they become due (following any applicable appeal proceedings or appeal period), such damages may also be netted from the amounts payable, if any, by the party to whom such damages are owed.

12. Sale of Goods. The parties intend this transaction to be a (a) sale of electricity as a good pursuant to the UCC and (b) an enforceable requirements contract, for all requirements at the meters, pursuant to UCC §2-306 (Utah Code 70A-2-306).

13. Communications. Hurricane customers in the Hurricane Load must contact Hurricane directly in the event their electric service is interrupted. Hurricane is responsible for all distribution related maintenance and repairs, including responding to outages, for the Hurricane Load.

14. Waiver of Immunities. Each party hereby waives, to the fullest extent permitted by applicable law, with respect to itself and its revenues and assets (irrespective of their intended use), all immunity on the grounds of sovereignty or similar grounds from (a) suit, (b) jurisdiction of any court, (c) relieve by way of injunction, order for specific performance or for recover of property, or (d) execution or enforcement of any judgment to which it or its revenues or assets might otherwise become subject in the courts of any jurisdiction and irrevocably agrees, to the extent permitted under applicable law, that it will not claim any such immunity in any judicial or other proceedings.

15. Termination. In the event one party hereto fails to perform its obligations hereunder, the other party may provide written notice to the other, and if such failure is not cured within sixty days of such notice, terminate this Agreement without penalty or payment (other than amounts due or damages on account of breach).

16. Indemnity. Hurricane will indemnify and hold PacifiCorp and its officers, employees and agents harmless from and against any loss, claims or damage caused to any person or property in the Hurricane Load relating to or arising from electric service provided by Hurricane including any loss, claim, action or suit, for or on account of injury, bodily or otherwise, to, or death of, persons, or for damage to, or destruction or economic loss of property.

Except as expressly provided in this Section, each party to this Agreement hereby assumes all liability for injury or damage to persons or property arising from any negligent act of its own employees, agents or contractors and shall indemnify and hold the other harmless from any liability arising therefrom.

17. Uncontrollable Force. Neither party shall be considered in default in performance of any obligation hereunder (other than for payment of moneys due) if failure of performance shall be due to Uncontrollable Force. The term "Uncontrollable Force" means any cause beyond the control of the party affected, including, but not limited to, failure of facilities, flood, earthquake, storm, fire, lightning, epidemic, war, riot, civil disobedience, labor dispute, labor or material shortage, sabotage and action or non-action by court order or public authority or failure to obtain the necessary authorizations or approvals from governmental agency or authority which by exercise of due foresight such party could not reasonably have been expected to avoid, and to overcome. A party shall not, however, be relieved of liability for failure of performance if such failure is due to causes arising out of its own negligence or to removable or remediable causes which it fails to remove or remedy with reasonable dispatch. Any party rendered unable to fulfill any obligation by reason of Uncontrollable Force shall exercise due diligence to remove such liability with all reasonable dispatch. Nothing contained herein, however, shall be construed to require a party to prevent or to settle a labor dispute against its will.

18. Change in Rates. Nothing contained in this Agreement shall be construed as affecting in any way the right of the party providing service under this Agreement to unilaterally make application to FERC for a change in rates under section 205 of the Federal Power Act and pursuant to FERC's rules and regulations promulgated thereunder.

19. Public Announcements. Except as required by law, neither party may issue any press release or make any announcement in relation to this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld or delayed.

20. Amendments. The parties may amend this Agreement only in writing, signed by both parties hereto and, as necessary, submitted to FERC for acceptance of filing.

21. Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which is an original and all of which taken together constitute one and the same instrument.

22. No Third Party Beneficiaries. Notwithstanding anything to the contrary herein, this Agreement does not confer any rights upon any person other than the parties and their respective successors and permitted assigns. There are no intended third party beneficiaries of this Agreement.

23. Entire Agreement. This Agreement supersedes all prior agreements, proposals, representations, negotiations, discussions or letters, whether oral or in writing, regarding the subject matter of this Agreement. This Agreement does not supersede the PacifiCorp Load Agreement.

24. Further Assurances. Each party will use all commercially reasonable efforts to cause the transactions that this Agreement contemplates to be consummated; and obtain all consents and authorizations of third parties, and make all filings with, and give all notices to, third parties that may be necessary in order to consummate the transactions contemplated by this Agreement. Without limiting the generality of the foregoing, each party will (i) make all filings with governmental authorities required in connection with the transactions contemplated by this Agreement as promptly as practicable after the date of this Agreement; (ii) use all commercially reasonable efforts to furnish or cause to be furnished, as promptly as practicable, all information and documents reasonably required to obtain the approvals; and (iii) otherwise cooperate in all reasonable respects with the applicable governmental authorities to obtain any required governmental approvals in as expeditious a manner as possible.

25. Choice of Law. This Agreement will be governed by and construed in accordance with the laws of the state of Utah.

26. Successors and Assigns. This Agreement will be binding upon, and inure to the benefit of the parties' respective successor and assigns. Hurricane may not delegate its obligations hereunder without PacifiCorp's prior written consent.

27. Waiver of Jury Trial. EACH PARTY KNOWINGLY, VOLUNTARILY, INTENTIONALLY AND IRREVOCABLY WAIVES THE RIGHT TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION BASED ON THIS AGREEMENT, OR ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS AGREEMENT AND ANY AGREEMENT EXECUTED OR CONTEMPLATED TO BE EXECUTED IN CONJUNCTION WITH THIS AGREEMENT, OR ANY COURSE OF CONDUCT, COURSE OF DEALING, STATEMENTS

(WHETHER VERBAL OR WRITTEN) OR ACTIONS OF ANY PARTY TO THIS AGREEMENT. THIS PROVISION IS A MATERIAL INDUCEMENT TO EACH OF THE PARTIES FOR ENTERING INTO THIS AGREEMENT. EACH PARTY HEREBY WAIVES ANY RIGHT TO CONSOLIDATE ANY ACTION, PROCEEDING OR COUNTERCLAIM ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT AND ANY OTHER AGREEMENT EXECUTED OR CONTEMPLATED TO BE EXECUTED IN CONJUNCTION WITH THIS AGREEMENT, OR ANY MATTER ARISING HEREUNDER OR THEREUNDER IN WHICH A JURY TRIAL HAS NOT OR CANNOT BE WAIVED.

28. Disputes. The parties shall attempt in good faith to resolve all disputes arising out of, related to or in connection with this Agreement promptly by negotiation. Any party may give the other party written notice of any dispute not resolved in the normal course of business. Executives of both parties at levels at least one level above the personnel who have previously been involved in the dispute shall meet at a mutually acceptable time and place within ten (10) days after delivery of such notice, and thereafter as often as they reasonably deem necessary, to exchange relevant information and to attempt to resolve the dispute. If the matter has not been resolved within 30 days after the referral of the dispute to such senior executives, or if no meeting of senior executives has taken place within 15 days after such referral, either party may request that the matter be submitted to nonbinding mediation. The mediation shall be conducted by a single mediator mutually agreed to by the parties. The mediation shall consist of one or more informal, nonbinding meetings between the parties and the mediator, jointly and in separate caucuses, out of which the mediator will seek to guide the parties to a resolution. The mediation process shall continue until the resolution of the dispute, or the termination of the mediation process by either party. The costs of the mediation, including fees and expenses, shall be borne equally by the parties. All verbal and written communications between the parties and issued or prepared in connection with this Section shall be deemed prepared and communicated in furtherance, and in the context, of dispute settlement, and shall be exempt from discovery and production, and shall not be admissible in evidence (whether as admission or otherwise) in any litigation or other proceedings for the resolution of the dispute. The parties agree that no statements of position or offers of settlement made in the course of the dispute process described in this Section will be offered into evidence for any purpose in any litigation between the parties, nor will any such statements or offers of settlement be used in any manner against either party in any such litigation. Further, no such statements or offers of settlement shall constitute an admission or waiver of rights by either party in connection with any such litigation. At the request of either party, any such statements and offers of settlement, and all copies thereof, shall be promptly returned to the party providing the same.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the date first above written.

PACIFICORP

CITY OF HURRICANE, UTAH

By: _____

By: _____

Name: Heather Eberhardt

Name: Nanette Billings

Title: Sr. Commercial Services
Power Marketer

Title: Mayor

Exhibit A

Meter numbers:	82140348	Gateway Substation (Anticline)
	66686456	meter readings from PacifiCorp to Hurricane Moccasin Flats load

